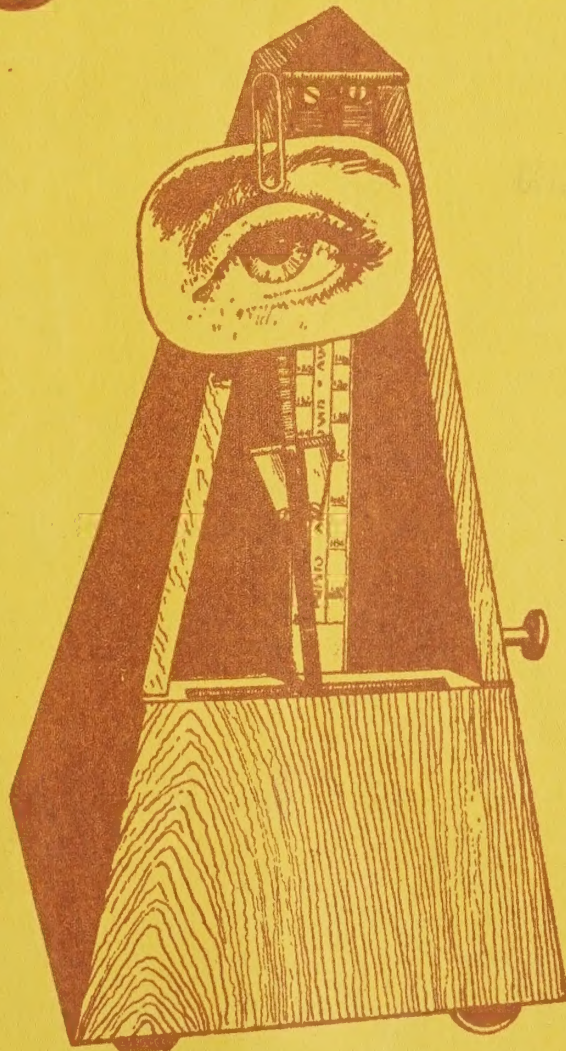


JANUARY 1975



THE
COMMUNICATOR
SPRINGHILL
NOVA SCOTIA

**The
long road home**



IS THIS YOUR YEAR ?

THE COMMUNICATOR, P.O. BOX 2140, SPRINGHILL, NOVA SCOTIA, CANADA



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The Contents

Herein:

"RESTITUTION"
by Can. Law Reform Comm....2

"GOINGS ON ABOUT TOWN -
NUMBER TEN" & "LETTER BOX"6

"PRISONER OMBUDSMAN BACKS
REFORM".....7
"THE COURTS DON'T DISCRIM-
INATE"?.....8
"XMAS FAMILY VISITING DAY"
by Bob Eby.....9

"THEY KEEP GOING BACK"
by Robert Horan.....10
"MESSAGE FROM THE PADRE"
by Rev. Paul Crosby.....12
"CHRISTMAS VARIETY SHOW"
by Robbie Hebert.....13

"BEHAVIOR MOD BEHIND THE
WALLS"14
"GOINGS ON ABOUT TOWN -
NUMBER ELEVEN"16

"POETRY IN PRISON"
by Frank Guiney.....17

"THE POETRY OF
FRANK GUINEY"20
"MRS. BALZAR & FRIENDS"
by Robbie Hebert.....33
"LIFE IN HOLE CAN BE CRUEL
AND INHUMANE".....34
"GOINGS ON ABOUT TOWN -
NUMBER NINE"35
"OPEN FORUM".....35
"PAUL CROSBY TESTIMONIAL
NIGHT" by Bob Eby.....38
"AT LARGE: A PRISON
JOURNAL" (Fiction).....40
"TRANSCENDANCE" (Fiction)
by Bob Eby.....42
"EDITORIAL RAMBLINGS"
by Bob Eby.....43
"MONDAY NIGHT DRAMA"
by Robbie Hebert.....44
"VOICE OF THE PEOPLE"....44
"RYAN'S FANCY COMES TO
SPRINGHILL" by R. Hebert.46
"SPORTS SECTION"47

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Restitution

The following comes to us compliments of KEITH JOBSON, DIRECTOR OF THE LAW REFORM COMMISSION OF CANADA. "RESTITUTION" is one chapter from the Commission's "WORKING PAPER 5 & 6" and is one of the law reforms they are putting before the Parliament for implementation into law. It is hoped their recommendations will fall on **receptive** ears. We will be publishing a segment of their recommendations each month in an attempt to expose our readership to issues of major importance.

DOESN'T IT SEEM TO BE A REJECTION OF COMMON SENSE THAT A CONVICTED OFFENDER IS rarely made to pay for the damage he has done? Isn't it surprising that the victim generally gets nothing for his loss? Restitution -- making the offender pay or work to restore the damage -- or, where this is not possible, compensation -- payment from public funds to the victim for his loss -- would seem to be a natural thing for sentencing policy and practice. Yet, under present law they are, more frequently than not, ignored.

In Anglo-Saxon times restitution was seen as the natural and accepted mode of settling disputes. Today the criminal law of Canada gives little recognition to restitution or its place in sentencing theory. Some other countries, however, do accept the notion of reparation as a primary consideration in sentencing. In some jurisdictions the criminal law provides for a broadened concept of restitution, including apologies for the wrong done or the notion of paying back through work.

Not only are such legislative statements in accord with common sense, but with social practices as well. How frequently do business firms settle thefts by employees privately, extracting in many cases a promise to pay the money back? How frequently do police, for example, using proper discretion, suggest to the offender and victim that rather than proceed with charges they should work out a suitable compromise involving restitution?

Not only are these practices in accord with common sense, they are also just. If justice is to be done, the violation of the individual victim's personal and property rights ought to be redressed. The sanction in criminal cases becomes justifiable on account of the offender's violation of someone else's rights -- rights that are publicly supported through the criminal law. Under present sentencing policy, however, it is not the damage to the victim's rights and interest that are recognized at the time of sentencing, but society's interests. Thus, in the interests of public protection, the offender's fine is payable to the Crown, or his liberty is forfeited to the state. As his losses tend to be swept aside by state interests in the criminal trial, the victim is left unsatisfied.

To some extent the victim's losses are recovered through various types of social insurance legislation. If the crime resulted in loss of employment, benefits may be available under the unemployment insurance law. Other welfare measures may also mitigate losses. Thus, medical and hospital bills will be paid for under the public health insurance schemes. More recently various provincial statutes provide for some compensation to victims of crime although property losses are excluded. In addition, the victim may sue the offender for damages, providing his identity and whereabouts are known. This civil remedy, however, is expensive, often illusory, and little used. There is, therefore, a practical need to consider restitution as a sanction.

Not only is restitution a natural and just response to crime, it is also a rational sanction. This can best be perceived by examining the nature of crime.

In seeking to understand crime and to develop responses to it, it may be helpful to view it not as a pathology or an evil to be suppressed at all costs but as an inevitable aspect of social living. In civil law the inevitability of social conflict has long been recognized. Thus, many social conflicts classed as torts or breaches of contract are understood to be normal features of social life, frequently serving the social purpose of clarifying different value positions. In criminal law, too, the wrongful conduct can be seen as an aspect of conflicting values as, for example, in some drug offences and in abortion. Through conflicts over value positions society has the opportunity of reaffirming its view of what conduct is so injurious that it ought to be dealt with by penal sanctions. Should the emphasis in sentencing policy, then, be on the suppression of crime through severe sanctions or should it be on making clear what values are at stake in the conflict and affirming in a tolerant but firm way those values that have the support of the community? Should sentencing policy emphasize the rejection of the offender as a parasite on the body politic, or should we, on finding the offender responsible for having committed an offence take into account what the social sciences and common experience teach us about human behaviour and impose a sanction that encourages reconciliation and redress?

Doubtless there are offences in respect of which reconciliation is useless and where the most rational sanction may be prolonged imprisonment. For the great majority of offences, however, restitution would appear to be appropriate. Restitution involves acceptance of the offender as a responsible person with the capacity to undertake constructive and socially approved acts. It challenges the offender to see the conflict in values between himself, the victim, and society. In particular, restitution invites the offender to see his conduct in terms of the damage it has done to the victim's rights and expectations. It contemplates that the offender has the capacity to accept his full or partial responsibility for the alleged offence and that he will in many cases be willing to discharge that responsibility by making amends.

As pointed out in the working paper on The Principles of Sentencing and Dispositions, the concern in sentencing should be to choose a just sentence. We suggest that in many cases restitution as a sanction would satisfy the demands of justice: in other cases supplementary sanctions may be necessary. Furthermore, to the extent that they may be operative, deterrence and rehabilitation would find scope within the sentence supported by a reasoned explanation. Thus, the offender's restitution payments, for example, or his work done in lieu of such payments would become his correction, for we believe the most valuable form of correction is self-correction.

It is not only on a priori grounds, such as those just discussed, that restitution should be given greater prominence in sentencing and dispositions. On quite practical grounds restitution offers greater satisfactions and benefits to all concerned. Under restitution the victim, first of all, is no longer used largely as a means of protecting society's collective values. Rather his claim to satisfaction as well as society's is recognized in



EXPORT TOBACCO

restitution and compensation. An important part of this recognition is the victim's psychological need that notice be taken of the wrong done.

Recognition of the victim's needs underlines at the same time the larger social interest inherent in the individual victim's loss. Thus, social values are reaffirmed through restitution to victim. Society gains from restitution in other ways as well. To the extent that restitution works towards self-correction, and prevents or at least discourages the offender's committal to a life of crime, the community enjoys a measure of protection, security and savings. Depriving offenders of the fruits of their crimes or ensuring that offenders assist in compensating victims for their losses should assist in discouraging criminal activity. Finally, to the extent that restitution encourages society to perceive crime in a more realistic way, as a form of social interaction, it should lead to more productive responses not only by Parliament, the courts, police, and correctional officials but also by ordinary citizens and potential victims.

The offender, too, benefits in a practical way from a sentencing policy that emphasizes restitution. He is treated as a responsible human being; his dignity, personality and capacity to engage in constructive social activity are recognized and encouraged. Rather than being further isolated from social and economic intercourse he is invited to a reconciliation with the community. While he is not permitted to escape responsibility for his crime his positive ties with family, friends and the community are encouraged, as are opportunities for him to do useful work.

In this way restitution acknowledges the limitations of a sentencing policy designed to "correct" or "rehabilitate" offenders and yet attempts to avoid the futility of strictly punitive sanctions. In coming to the point of view that restitution be a central consideration in sentencing and dispositions, the Commission has drawn upon the social sciences and philosophy as well as history.

THE MEANING OF RESTITUTION

For the purposes of this working paper, "Restitution" is a sanction permitting a payment of money or anything done by the offender for the purpose of making good the damage to the victim. Since the purpose is to restore, as far as possible, the financial, physical or psychological loss, restitution could take many forms including an apology, monetary payment, or a work order.

Restitution refers to the contribution made by an offender towards the satis-

faction of his victim. It moves from the offender to the victim and is personal. "Compensation", on the other hand, is impersonal and refers to a contribution or payment by the state to the victim. The proposed reform would supplement restitution, where necessary, with compensation.

HISTORICAL ROOTS

In Anglo-Saxon England there was no criminal law as we know it. Disputes were dealt with by a process greatly resembling our civil law. When an individual felt that he had suffered damage because of another's wrongful conduct he was permitted either to settle the matter by agreement or to proceed before a tribunal. Restitution was the order of the day and other sanctions, including imprisonment, were rarely used.

As the common law developed, criminal law became a distinct branch of law. Numerous antisocial acts were seen to be "offences against the state" or "crimes" rather than personal wrongs or torts. This tendency to characterize some wrongs as "crimes" was encouraged by the practice under which the lands and property of convicted persons were forfeited to the king or feudal lord; fines, as well, became payable to feudal lords and not to the victim. The natural practice of compensating the victim or his relatives was discouraged by making it an offence to conceal the commission of a felony or convert the crime into a source of profit. In time, fines and property that would have gone in satisfaction of the victim's claims were diverted to the state. Compounding an offence (that is, accepting an economic benefit in satisfaction of the wrong done without the consent of the court or in a manner that is contrary to the public interest) still retains a crime under the Canadian Criminal Code and discourages private settlement or restitution.

It would now seem that historical developments, however well intentioned, effectively removed the victim from sentencing policy and obscured the view that crime was social conflict.

CURRENT CANADIAN LAW

Today in Canada restitution can be made a condition of a probation order. In addition, in minor offences or damage to property the court may order the accused to pay "compensation" not exceeding \$50.00. This sanction can only be imposed as an additional penalty; it cannot stand by itself. There are also the little-used provisions in the Code whereby at the time of sentence the victim or "a person aggrieved" may ask the judge to have the accused pay to him an amount by way of satisfaction and comp-

ensation for loss or damage to property suffered as a result of the offender's crime. Still other provisions in the Code relate to restoration of stolen property purchased by third parties or held by the court or the police for the purposes of the trial.

There is nothing in the Criminal Code to suggest that restitution should be seen as a sanction in its own right and nothing to tie restitution to a theory of sentencing or criminal law. The isolated provisions related to restoration of property and compensation for property loss appear to be historical carry-overs from English legislation that were grudgingly grafted onto the penal law in order to save victims the expense of a civil suit to regain stolen property or secure compensation. The civil nature of these provisions is shown by the fact that they come into operation for the most part, "on application" of the victim. With one exception the judge does not have power to impose them on his own initiative, as he does with fines. In practice these provisions are used infrequently and even when they are, it is often a large company that appears as the victim to ask for compensation. More frequently losses by companies tend to be dealt with under insurance law, a mode of settlement that many lawyers and businessmen prefer to applications in the criminal courts.

Somewhat more widely used are the restitution provisions under a probation order. In a survey of records covering over 4,294 convicted appearances from 1967 to 1972, however, restitution was recorded only for 6 convictions, that is, in approximately .1% of the sentences. It is possible, however, that the records do not completely reflect how often restitution is used. For one thing restitution is sometimes used unofficially on adjournment before sentence. If restitution is made during the adjournment the prosecution and the judge will necessarily take it into account at the hearing on sentence. At the same time, the extent to which fines are used and paid is referred to later in this paper.

Although there is little empirical evidence of how frequently restitution is used, there are indications that restitution appears to be working out well where it is imposed. At the same time there can be no doubt that some probation officers dislike the added burden of collecting restitution payments. To what extent the office of the court clerk or administrator could assist the probation officer in this regard remains to be explored. It should also be noted that there may be some coolness towards restitution among the judiciary. This may be owing in part to a reluctance to get involved in assessing the

amount of the claims. In part, too, restitution has suffered in the criminal courts because it was seen, unfortunately, as an unwanted child of the civil process: a debt collection technique that had no place in the criminal courts. Counsel for the victim and the prosecution have also, usually, all but forgotten the need to press for restitution in sentencing.

Rather than rest content with the present fragmented state of the criminal law with its various references to restitution, restoration and compensation, surely it is more rational and just to make restitution central to sentencing theory and practice and to supplement it with a compensation scheme for victims of crime.

THE "COMBINED TRIAL"

In some countries the claim for restitution is not deferred to an administrative compensation board, nor is the victim left to pursue his remedy by suing the offender in the civil courts. Instead, a claim for damages is presented during the criminal proceedings.

Depending on the jurisdiction, the procedure obliges the prosecution to put forward the victim's claim for damages or leaves the initiative with the victim to present the claim himself; in effect it allows for a combined trial of both criminal and civil liability. In some systems there are, however, practical disadvantages to this procedure. In theory, the prosecution is supposed to inform the victim that charges are being laid, but in practice the prosecution frequently fails to give such notice. The result is that the victim is effectively prevented from making a timely claim for damages during the criminal proceedings. A further weakness of the combined trial in some jurisdictions is the power of the judge to refuse to determine the issue of damages if he thinks it would not be suitable or would delay the trial. Differences in the concept of causation and in the rules of evidence in civil and criminal proceedings are sometimes given as reasons why judges are unwilling to hear claims for damages in the criminal trial.

Other critics question the desirability of giving the plaintiff in a civil action a central place in the investigation and conduct of the trial. Any potential bias, however, could be avoided by putting off consideration of the civil claim until after the verdict in the criminal trial. However, there is no need to complicate the criminal trial with civil issues. After the matter of guilt has been decided, it should be feasible to consider restitution and

(CONTINUED ON PAGE 36)

GOINGS ON ABOUT TOWN

Number Ten Unit

By C.D.Dunlap

WHAT'S UP IN NUMBER TEN LIVING UNIT? That's a good question. Seriously though, it's been a hectic time lately with all the Christmas decorations going up. But, the competition really isn't all that evident with only a few participating in the actual work itself.

We also have scheduled a few card tournaments and a bingo with prizes that all will enjoy. The prizes were purchased through the Unit Welfare Fund. If you've ever tried to pick out twenty \$1.00 prizes and twenty \$2.00 ones with a few \$1.50's thrown in, you'll know what this reporter went through in trying to keep it together: what with watching the ladies moving around doing their Christmas shopping at Zellers....

We did lose a good cat to Number Eleven Unit so that he could follow his aspirations to become another of the Hollywood set through the CON-ACT workshop. We've also had a few inside hassles that I am not at liberty to express because it is privileged information being that it is conversation from the daily meetings. Oh yes, we still have a meeting every day, promptly at 3:15 and, at times they get pretty weird but, sometimes, I think that we are causing some-

thing to happen that may not have happened otherwise. Whatever that is, I'm not too sure; but, God, I hope it's real.

We have a couple of cats that are being re-adjusted to prison life at this time, and I want to say that I hope they don't get too "re-adjusted" because I like them the way they are, and I'm sure you do, too.

It could be that this will be my first and last attempt to be an up-to-the-minute reporter, but that remains to be seen if this is even printed -- cuz I don't think it's worth the paper it's printed on. These insane ramblings of a therapeuticized mad man, who even had to just this minute go and ask Bob Eby how to spell therapeutic, are getting a bit absurd and I think that it's about time to close with a ... "That's all folks, aaabada... aaabadadaa, aaabada!"

EDITOR'S NOTE: THIS IS ONLY A WILD GUESS ON MY PART, BUT I AM GETTING THE DISTINCT IMPRESSION THAT THE COMMUNICATOR HAS SPREAD ITS LEGS BY GOING INTO CERTAIN UNITS AND COMING UP WITH CERTAIN CORRESPONDENTS....

LETTER BOX

Dear Sir:

I would like to make some inquiries about the ad in the last COMMUNICATOR for the bachelor suites in that very security-sounding "complex." A man in my position needs lots of security and I found the description of your spot highly attractive, but I am having trouble getting that letter of recommendation from a judge.

First of all, I thought I'd try to be discreet and simply authorize, behind the scenes, a burglary -- but no one noticed! Then, thinking I might net myself at least a ten-year lease, I tried denying, right to their faces, any connection with those arrested -- but everyone believed me! In frustration, while everyone out front was being prosecuted, I bought a few silent mouths and tried a little tax evasion -- but still they stood by me, loyal as hell! Finally I thought, well, the hell with subtleties, I'll cover up everything right under

their noses, sell my right hand men down the river, scratch all the taped evidence and get on with running the country -- and, by God, they gave me a pardon!

Now I ask you: just how the hell does one get the letter you people require. I even have friends who have tried. One guy tried raising the price of sugar 1,200 percent, blamed it on the weather in the tropics, sat back laughing and waited for his summons. No deal.

The number of us who really feel we deserve to be in your company is phenomenal! But so, apparently, are your standards. Tell me sir, do you not feel that your "complex" is becoming a bit too exclusive????

Sincerely and humbly,

(Forwarded by
Ken Draayer of
St. Catherines
Ontario.)

(just) MR. NIXON
(or, if you've
really lost re-
spect, DICK.)

First report seeks end to solitary confinement

Prisoners' ombudsman backs wide reforms

— Inger Hansen, the prisoners' ombudsman, suggested yesterday that solitary confinement be eliminated from most Canadian jails.

Hansen, a Vancouver lawyer, says in her first annual report, tabled in the Commons yesterday, that she found "the hole (solitary confinement) inhumane and I would urge that something be done as soon as possible . . ." In some cases, she says, "the punishment was cruel".

She calls for a special study to determine whether throwing a prisoner into "the hole" either for protection or punishment is useful or efficient. The inquiry should also find whether prisoners who are not a security risk, can be housed outside the institutions — for instance in trailers.

Her report includes a long description by a prisoner of disassociation (solitary confinement). She received 55 complainants on this subject, but says none could be acted upon because they involved changing regulations, something the correctional investigator is not mandated to do.

Hansen received a total of 782 complaints from 595 prisoners in her first year. Complaints ranged from improper computation of multiple sentences to the unavailability of vitamin pills for a vegetarian.

Sixty-three complaints were rectified; action was pending on another 88; 285 were considered premature (other methods of redress were available); and 146 were outside the ombudsman's jurisdiction.

Other recommendations in the report include:

- Several changes in the computation of sentences;
- Appointment of prison judges whose sole duty would be to preside over disciplinary hearings of inmates;
- Clarification or elimination of forfeiture of a prisoner's possessions in jail;

• Appointment of an officer in charge of prisoners' claims for injuries or loss of property suffered while in jail;

• Permission for prisoners to invest their funds in interest producing securities.

During the year, she made 136 visits to institutions and conducted six special investigations for Solicitor-General Warren Allmand.

The studies covered:

• Alleged attitudes at British Columbia at the Kingston Prison for Women. None was found.

• Prisoner attitudes at British Columbia maximum security penitentiary where there were disturbances last year. Allmand has received a report which has not been made public.

— Alleged mistreatment of prisoners at Millhaven maximum where there were serious disturbances this year. Allmand has received a report, but Hansen has not finished her work here.

• Alleged excessive use of the hole at the Prince Albert penitentiary. This is not complete.

• Amount of tear gas used in different institutions. Not yet complete.

• Announcement of the death of a prisoner to his family.

Hansen found that her contacts with prison administrators often had "a catalytic effect" in dealing with prisoners' complaints.

Despite the relatively small number of grievances redressed and "although the complainants may be displeased with the result of an investigation of his complaint," she emphasizes that at least he had the satisfaction of having tried to improve his situation.

A number of complaints were received about cancellation of good behavior time as punishment for an escape.

"An inmate who is convicted of escape but who has committed no institutional offences, will lose more by way of statutory permission than one who has lost remission because of a conviction in disciplinary court.

"The automatic loss of remission applies equally to the inmate from a maximum security institution who climbs over the wall and the minimum institution inmate who, while on a program of reintroduction into society . . . fails to return on time."

Hansen says that while the pre-release program is designed to help the prisoner adjust to the outside world, "the longer the person has been incarcerated, the more fraught with anxiety is his return to society, and the more statutory remission he stands to lose."

She recommends that persons be appointed with the sole duty of presiding over prison disciplinary hearings. These were often viewed by prison staff as a contest between the prisoner and an officer, placing the director in a difficult position where his concern for staff loyalty and morale could cloud his search for redress of an injustice.

The ombudsman also uncovered an unusually large number of injuries suffered by prisoners, most of them of the industrial-accident variety, "particularly the loss of fingers."

She was under the impression that prisoners "were generally-speaking discouraged" from seeking compensation for such losses, and recommended the appointment of a person with legal training to examine the situation.

One of her success was in dealing with a prisoner's complaint that all his out-going and incoming mail was photocopied and placed in his file. Hansen convinced the director of penitentiaries to issue an order that the practice be stopped.

SOME OF THE WORLD'S GREAT PIPE-DREAMS
ARE REALIZED WITH

ONLY
FIVE
BUCKS
A
YEAR

THE
COMMUNICATOR

12
ISSUES
A
YEAR

"The Courts Don't Discriminate?"

The case of Jeffrey Cohen, the millionaire heir and vice-president of ARMY & NAVY DEPARTMENT STORES LTD., should prove once and for all that there is, in this city, one law for the rich and powerful and another for the rest of us.

On Monday, Provincial Court Judge John Layton sentenced Cohen to two years probation for possession of 29 capsules of heroin, and meted out a \$500.00 fine for possession of one gram of cocaine. In the light of the common judicial practice in cases of this nature, the sentence is so light as to be almost a joke.

The penalty regularly handed out in this city for a simple possession of heroin is six months in jail, minimum, for a first offence, with a maximum possible sentence of seven years under the law. Judge Layton's sentence is especially ridiculous in the light of the request from Cohen's attorney, Thomas Dohm, that the judge treat Cohen as he would any other young person who is in trouble for the first time. That Cohen was given preferential treatment is obvious by the lightness of Judge Layton's sentence.

Another deviation from regular judicial procedure comes to light in the fact that Cohen was not charged with intent to traffic in spite of the fact that he was in possession of 29 capsules of heroin. Possession of this amount would normally result in an automatic charge of possession for the purpose of trafficking being laid against the accused, with the onus being on the accused to prove there was no intention to traffic. Dohm had this charge withdrawn on the grounds that Cohen is rich and therefore had no reason to traffic to support his three-cap-a-day habit. This could set an interesting legal precedent: one can now envision a millionaire dope pusher having intent to traffic in drugs charges dropped on the grounds that he was rich; in spite of the fact that he may have made his millions pushing drugs.

A third deviation from the regular judicial practice is the fine imposed by Judge Layton for the possession of one gram of cocaine. It is common practice

for judges to impose fines only for simple possession of soft drugs such as cannabis. But under the law, cocaine is still classified as a narcotic, and possession usually carries with it a mandatory sentence in jail.

What is perhaps even more staggering and incomprehensible is the attitude of the prosecutor, Frank Haar, who said that the sentence was not out of line for a first offender and that the Crown has no plans to appeal.

The whole affair is one of the most flagrant cases of bending the law to come before the people of this city for some time. That the daily press of Vancouver has not seen fit to comment, and indeed relegated the story to a few lines on the inside pages, is shameful but predictable.

If Jeffrey Cohen had not the funds to hire out-of-retirement Thomas Dohm -- formerly a judge and head of the Vancouver Stock Exchange -- to defend him; if he was not the vice-president of a department store, but, Joe Doaks, junkie, he would not now be paying regular visits to his probation officer but would be sitting in prison...awaiting visits from family and friends.

If a prison sentence penalty would have been too severe a penalty to impose on Jeffrey Cohen then it is too heavy a sentence to impose on any other first offender who appears before a judge on similar charges. The kind of favoritism and bending of the law shown by the principals in this case does nothing to alleviate the already failing respect felt by many citizens toward the judiciary and the institution it ostensibly upholds!

EDITOR'S NOTE: Originally published in the "GEORGIA STRAIGHT" of VANCOUVER we swiped it from "THE TERMINATOR" of STONY MOUNTAIN PEN who lifted it from "INSIDE NEWS" of DRUMHELLER INSTITUTION, ALBERTA

Except where we mention that we have had to get permission to publish an article originally published elsewhere, EVERYBODY is welcome to steal off us -just lay a little credit on us.

Look Closer! Capture A Moment!

Christmas FAMILY VISIT DAY

THE ANNUAL CHRISTMAS FAMILY VISITING DAY TOOK place on Sunday the 15th. The weather did its usual number on us and delivered snow, slippery roads, and disappointment to many a prisoner and loved one. For two families on their way to this institution, it brought them a head-on collision on the road from Halifax, leaving some of them in the hospital with serious injuries.

But, for eighty-three of the prisoners at this institution, the weather couldn't hold back the two-hundred-and-ten that made it in to visit with their loved ones and friends.

Mothers, fathers, brothers, sisters, wives, sweethearts, friends, uncles, aunts, nieces, nephews, and children of all ages and relationships converged on the gymnasium.

The Recreation Staff had done a number on the gym and there were decorations hanging from the walls and ceiling, tableclothes on the lounge-sized tables, and candles adorning each table. With the lights turned down to a sane dimness, it was almost possible to forget where one was and to get into imagining how it would be to sit across from your lady in a quiet supper club. There was soft music playing in the background; just loud enough to mask the sounds of nearly three-hundred people, but not intrusive enough to interfere with a softly spoken word.

The clearing procedures for getting in the front gate had been completely revamped, and the hassle-free passing-in contributed to people arriving in good spirits. The staff at the front worked hard at making the visitors feel welcome, and the Visits and Correspondence staff complemented the efficient new method by processing visitors as quickly and courteously as they could. It is my feeling that much of the relaxed atmosphere that was experienced on this day was a direct result of the efficiency and courteousness of the staff that were involved in handling the movement from the front gate down to the gym.

In the spirit of what medium-security institutions are supposed to be about, the numbers of staff at the gym itself were at a minimum. They remained inconspicuous; just doing the job they were expected to do but not creating any tension through making a production of being custodians. I think this also went a long way in helping to create the relaxed setting.

While sitting out there, listening to a friend chatting up his lady, I got into watching the dozens of children that were running about. They had a thing going all of their own. They seemed oblivious of their surroundings and were getting off by creating their own little play area. The width of the stage was only being used for a few tables, and there were only a couple of speakers and a decorated tree up there, so you know what they got into; they broke up into a number of small groups: some would play actors/performers, while the others would play audience by perching along the stage front. It became obvious very quickly that these kids knew what they were about: the "audience" got into clapping and the "actors" (what am I saying? they were all actors!) got to

CELEBRATION

CELEBRATION

"acting". Those kids were innocent of the fact that they were expected to act in any way relative to adult values and mores, and they had themselves a fine time. And, if you tried real hard, it didn't take too much effort to get yourself into feeling that you, too, were in a setting where you didn't have to concern yourself with prying eyes and ears. There were ladies moving about, friends looking to chat, and the innocence of just relaxing and having an enjoyable time.

As all family visiting days are, this day was sponsored by the Inmate Committee. Not only did the Committee - through the Inmate Welfare Fund - pay for the dinners and prizes but they did the hours of work and co-ordinating that goes into any function of this nature. They deserve a "thank you" from all concerned.

Santa Claus was there and wished us a Merry Christmas and expressed the hope -

one shared by many of us - that he would be able to visit us in a different area next year. I don't want to give Santa's identify away here because there may be kids reading what I am laying down, but the Santa who visited us here sure isn't the one that used to visit my house. The Santa I knew as a youngster used to only concern himself with us kids, but this new guy, why he doesn't discriminate against anyone - especially the ladies. He looked like he was having some of his own Christmas wishes coming true.

It is hoped that more of these kinds of functions can take place each year, and I suspect that they will if more people articulate the benefits that are derived from visiting with their families and friends under the conditions of this last Christmas Family Visiting Day.

By Robbie Hebert

everything you've always wanted to
know about **PRISONS**
THE **COMMUNICATOR**

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They Keep Going Back

By Robert Horan (Ex-Prisoner)

WHY DO SO MANY PEOPLE GO BACK TO JAIL ONCE THEY HAVE TASTED THE BITTERNESS OF LOST freedom? What could possess a man, once returned to society, to recommit the same crimes that put him behind bars in the first place? How, after all the grumbling he did and after all the vows he made, could he possibly fall by the wayside again? If anything, many get worse instead of better because in place of breaking and entering, they go on to armed robbery. Is there any hope of them ever straightening out?

Before I go any further, let me qualify myself to comment on the subject of recidivism. If I can't offer some sort of credentials, the credibility of what I have to say can be seriously challenged. So, like the doctor or lawyer or dentist who displays his degrees on the wall, let me search back in my memory for the degrees that I have accumulated over the years.

My first clashes with the Law came at seven years of age, and by the time I was nine, I was sent to a training school for stealing an old pick-up truck. At sixteen I was off to reformatory, and after three trips there, I graduated to Stoney Mountain Penitentiary in Manitoba. I served a six year course there, and finished my post graduate work in Collins Bay Penitentiary with a three year refresher course. Like,

Baby, I've been there! Not only have I been there; I've been away from there for ten, long, happy years with nothing more serious than traffic violations.

Do my credentials qualify me to comment? If so, let us go back to the original query: Why do they keep going back?

"I never got a break. They fired me when they discovered my record. I couldn't find work so it was steal or starve. My parole officer was always on my back. The fuzz just wouldn't stop hassling me." These excuses for recidivism can be heard every day but it is simply rationalizing one's own shortcomings. I wouldn't be foolish enough to say that such external happenings never occur -- how could I when I have fallen victim to the same or similar events? However, to blame the outside world for one's own failures is irrational. Anyone who would let an unliked parole officer drive him back to a life of crime just didn't have what it takes inside of himself to find contentment in freedom. To live contentedly in freedom requires an inner strength; it requires CHARACTER, and character is something we have to build from within.

I fervently believe that no man can be helped until he decides that he needs to help himself. With the same passion, I believe that once a man sets himself on the course of self-help and seriously pursues that course, nothing short of death can prevent him from succeeding. Discouragement and setbacks may come, and a round or two might be lost, but determination usually conquers defeat.

It takes courage to get to know one's self because oftentimes an honest look at one's inner self is a frightening mess. It takes backbone to change the patterns of a lifetime, but change is basic to success. Failure will usually be because one has found that instead of a backbone, he has a wishbone. Until one comes to realize that he is his own worst enemy; until one puts away the chip on his shoulder and does battle with himself; he isn't going to have much success at coping with the world outside of himself. It follows that once one has conquered himself, the rest isn't so bad.

Only a fool would believe that justice always prevails. We live in an unjust world and if you don't buy that you should watch the news. There are men, women, and children starving in all parts of the world. Some poor family was burned out and they lost all but their night clothes. Life is filled with ups and downs and the happenings outside of ourselves are pretty much beyond our control. It's how we are put together inside; how we face up to the setbacks; that separates the men from the boys, the successes from the failures.

Going back to personal experience: I want you to know that I have spent many long, dark, lonely nights in a cell; ashamed to look too far into the past, and afraid to look too far into the future. Behind me was a string of broken hearts and promises. Failure was about the only thing consistent in my past and the future forecasted pretty much the same thing. I blamed sneaky cops, I blamed pushy employers, I blamed a heartless magistrate. Hell, I even blamed my mother-in-law for my predicament.

Then, like a bolt in the night, it dawned on me. I finally admitted to myself that maybe I was to blame for my woes. I admitted that maybe I had brought about my own troubles.

The questions began to occur: "What can I do about the past?" NOTHING: it's over and done with and nothing can change that. "What can I do about the future?" NOTHING: It is not here yet. "What can I do about the present?" PREPARE: That's right! PREPARE FOR THE FUTURE. I decided that if I was the villain, I was the one that I was going to have to do battle with. In short, I decided that I was going to have to overhaul myself, and any mechanic will tell you that if you are planning repairs, you have to come to know what you are repairing.

The course I took from there is unimportant, except to say I have come to know and handle myself. I feel that, in spite of setbacks, I have accomplished more in the past ten years than I ever dreamed was possible. I have regained the respect of my friends and my loved ones, and what's more; I feel I deserve the respect. I can look the world in the eye with a clear conscience and it really feels great.

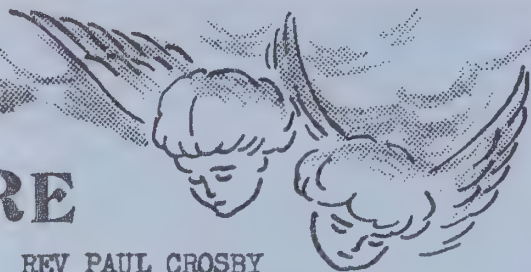
Why do people keep going back to that nightmare of lost freedom? There are many reasons to be sure, but in my opinion, most return because they didn't develop the self knowledge that it takes to be successful. They didn't know what they wanted from life, and until they conquer the enemy that lies within, they will be back again and again and again.

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MESSAGE

FROM OUR PADRE

REV PAUL CROSBY
PROTESTANT CHAPLAIN



HOME IS NOT A PLACE; IT IS AN ATTITUDE. It is an attitude which depends upon how much we are able to feel at home with ourselves, as well as with others. Home is something which happens to a person; homecoming has less to do with geography than it has to do with a sense of personal integrity or inner wholeness. The most important task in life is to come home. The most terrifying of fears is loneliness. It means that a person has become a stranger to himself and to other people. To be lonely is to feel fear, to be forever unsettled, never at rest, and to be in need of more assurance than life can give. Someone truly loves us when he brings us home, when he makes us comfortable with ourselves, when he helps us move from the strangeness we feel at being who we are. We are loved when we are no longer frightened with ourselves.

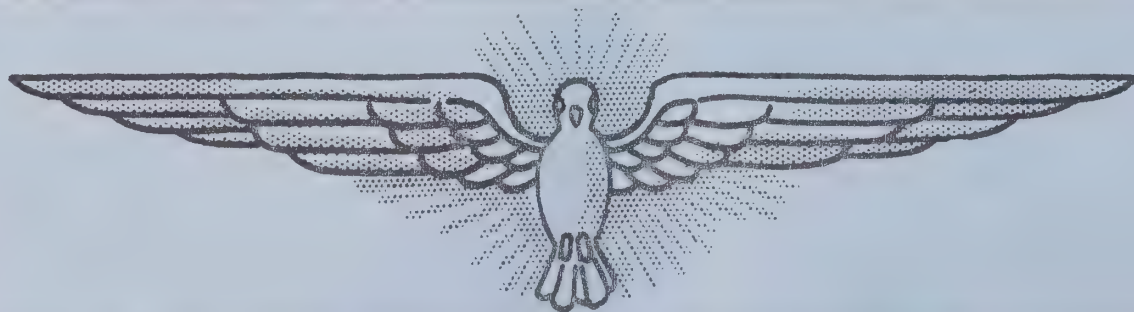
The most significant change we can experience is that of becoming at home with ourselves. Much of that change happens when we are alone with ourselves, or better still when we dare to risk, and allow ourselves to be alone with ourselves. It might seem that much of our being too busy could be a way of running away from ourselves. Our search for God might be a way of looking for a home. The human heart was made to be at home with itself. It is this need that is behind all seeking and yearning. We wish for home as our first wish, we hope for home as our last hope. We dream of home with every dream we form. We cannot bear to be strangers. We are able to wander without a home for a time, but not forever. If we wander forever our wishes would stop, our hopes would die, our dreaming would stop. Yearning and seeking would be a mockery, since

that which we seek, and that for which we yearn, would be denied us. We would find despair with a despair from which there would be no recovery.

The most meaningful, or to use a religious term, redemptive, of all experiences is that by which we may become at peace with ourselves. An experience through which the human heart may become reconciled, at peace with itself. Evil comes from fear, and fear comes from an inability to live with oneself, to make a truce with one's own life, to settle the conflict which goes on inside a person who cannot find a home, and who never comes home.

Jesus promised us a home. A day will come, he believed, when we shall be called by name, and be at home. He did not find a physical home while on earth, but he was at home with himself, so that he did not have such a need. I would suggest that the difference between a man of faith and a man who has no faith depends upon how much of a home one hopes to discover. A man without faith becomes afraid to hope, and feels separated from himself. A man of faith has the courage to risk, to risk being alone with himself, and to seek for a home. The difference between faith and no faith can be measured by how much of a home one hopes to discover, whether he hopes to ever find a home or not. One is heading for home when he is more bothered by the death of hope, than by the frustration of his ambitions. One makes a home every time he allows a man to feel at home with himself.

AUTHOR'S NOTE: I have borrowed the idea of home from the Rev. Anthony T. Padovano, in his book, DAWN WITHOUT DARKNESS.



Christmas

VARIETY SHOW

by Robbie Hebert

WALLEY REYFUSE, FORMERLY EMPLOYED HERE as Canteen & Inmate Trust Fund Officer, and who has put the Christmas variety shows together for the last eight years, came through again this year with an extravaganza that was staged Sunday, December 22, between 7:30 p.m. and the 10 o'clock count. In a short interview with Reyfuse prior to the show he told me that he was only interested in having me quote him as saying: "I didn't leave here because of the inmates, but because of the staff." Regardless of the facts surrounding the reasons behind his escape from our noble concrete palace, and being someone who likes to sink his teeth deep into such tasty pieces of information, I was more than happy to oblige him.

The CARL ELIOTT COUNTRY SHOW kicked the festivities off. Elliott, the ATLANTIC PROVINCES OLD TIME FIDDLE CHAMPION, was surrounded by his family for a backing group: wife Jean played piano, son Mike was on bass, while son Bill took the honours on electric guitar. Both "Dragging The Bow" and "The Orange Blossom Special" brought a thunderous ovation from the population because of Bill's expert fiddling. "Buckaroo" gave son Bill a chance to show off his guitar picking. For the remainder of this portion of the show there was a variety of instrument changing so that the sons could display their fiddling talents: Bill switched with his old man for the "Blue Mountain Special," next was a fiddle duet between Carl and Bill on "Bonapart's Retreat," followed by Carl's vocal abilities in "Walking In Charley's Shoes," son Mike on fiddle for "Winding Stream," and Bill on bow to Mike's picking --both on the same fiddle for "Sue's Hornpipe."

Sons Mike and Bill stayed on to back MAXINE BRAUGHAM, on acoustic guitar, as she took the limelight with "Take This Ribbon From My Hair." Among her repertoire, which should be mentioned in passing, was an interesting rendition of "I've Been Everywhere," and a unique version of "Amazing Grace." Maxine was delightfully appreciated by the population; not only because of her oral capacities, but also because of her pleasing disposition.

Next it was "THE OLD TIMERS" who took the stage. Having not been fortunate enough to get their names, except for Walley Reyfuse on banjo, I'll just say that whoever the old fellow on accordeon was gets my note of appreciation. Walley

took this segment of the evening as an opportunity to introduce his daughter to the audience, to whom we reacted positively, and his son -- the apprentice R.C. M.P., who was simply booed off the stage.

JUDY MANIX came on and sang the appropriate "I Was A Coal Miner's Daughter," to her own guitar accompaniment. She also sang and played "What We Gonna Do With The Baby" and "Please Release Me."

There were also two so-called rock bands present on the entertainment list. One was called MAJOWAT, who suffered the embarrassment of having their amps turned down by Reyfuse, and another group entitled THE BLACK KNIGHTS. The only comment I have for the young people in these groups is: "Get your shit together; it's a long way from here to there."

The CARL ELIOTT COUNTRY SHOW returned to close the evening up. They had another addition as we soon discovered when all of a sudden out cometh GRANDPAPPY HAYES, dressed like a peppermint stick, who bored us silly for the remainder of the time allowed with his unoriginal brand of corn.

So ended another evening of fun in the Springhill atmosphere. A good time was had by all, which could only be described as a healthy, but obscene Xmas spirit.

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Behavior Mod Behind The Walls Time Magazine

THE CONVICTED CHILD MOLESTER IN CONNECTICUT'S STATE PRISON AT SOMERS RECLINES ON A treatment table with an electrode wired to his upper thigh. Whenever pictures of naked children are flashed on a screen, he gets stinging shocks in his groin. At the Iowa Security Medical Facility, inmates who commit infractions like lying or swearing are given a shot of apomorphine, which brings on violent vomiting for 15 minutes or more. Intractable convicts transferred to the maximum-security Michigan Intensive Program Center near Marquette are put into solitary confinement for most of the time and can only "earn" better living conditions by meeting specific goals of behavior and education.

Such programs, and dozens of variations currently in use, are all based on the principle of behavior modification. Using the carrot-and-stick approach (solitary confinement v. improved treatment) or aversion therapy (the child molester associates his predilection for youngsters with discomfort for himself), the various approaches draw on B.F. Skinner's positive- and negative-reinforcement precepts and are characterized by close and expert attention to even the smallest details of behavior. The programs are all the rage -- and outrage -- in U.S. penology today.

QUIET DESIGN. "Behavior mod," as it is familiarly known, evokes flashing images of 1984 and A CLOCKWORK ORANGE, complete with irresistible mind-bending techniques, drugs and, perhaps, brain surgery. In fact, the broad concept includes even the rudimentary punishment-reward systems long standard for prison guards, or, for that matter, parents, teachers and corporations. But a new legal concern rests on the fact that behavioral scientists have been quietly designing more detailed and sophisticated programs for prisons. Quietly, because behavior mod sets off something of an automatic aversion reaction of its own. Among recent legal actions:

* In December, the Eighth Circuit Court of Appeals declared that Iowa's use of vomit-inducing apomorphine was cruel and unusual punishment -- and therefore unconstitutional -- unless the inmate gives knowing, written consent, which can be revoked "at any time." Injections of apomorphine continue, but only under conditions set by the court.

* With the help of the National Prison Project of the American Civil Liberties Union Foundation, eight prisoners in the federal penitentiary at Springfield, Mo., filed a suit against what they called "human destructiveness." They had been transferred involuntarily into START (Special Treatment and Rehabilitative Training), a standard "step movement" program with three levels of privileges. A higher level could be reached only after a prisoner's minutely monitored behavior at the preceding level passed muster. The prisoner's suit claimed unconstitutional violations of due process and privacy, among other allegations. Last month, after court-appointed investigators filed unfavorable reports, U.S. penal authorities finally caved in. The remaining START prisoners were transferred to other institutions last week. In December, the A.C.L.U. also won a court order ending parts of a federal program at Marion, Ill., that prisoners called "psychogenocide" because of its acknowledged goal of breaking troublesome inmates with psychological techniques.

* A three-judge state court in Michigan last summer blocked a brain operation planned for a criminally insane inmate who had sometimes been uncontrollably violent. Though he had "volunteered" for psychosurgery, the judges concluded that the "inherently coercive atmosphere" of confinement makes "truly informed" consent impossible.

Is the Michigan court correct in doubting the possibility of any freely given consent by an inmate? Or have the Iowa judges successfully devised rules that safeguard the volunteer? Either way it is clear that the question of consent is crucial -- for both legal and pragmatic reasons. Electric-shock therapy for sex offenders, for instance, is plainly offensive and probably illegal if imposed on anyone who does not want it. On the other hand, there is some preliminary indication that the treatment may work -- to the benefit of both the prisoner and society. If the voluntary program is ended, inmates who really do want to participate would lose out. Many behavior-mod programs "have some fairly good data of success with volunteers," says Norval Morris, director of the Center for Studies in Criminal Justice at the University of Chicago. But they have "a very low record of success with nonvolunteers."

One obstacle to keeping the programs genuinely voluntary is the tendency of prison administrators to see behavior mod as primarily a tool for maintaining order behind the walls. In many cases, says Illinois Legal Aid Lawyer Michael Deutsch, "the prisons take the programs over from doctors because it's a way of segregating the troublemakers." Roy Gerard, an assistant director of the U.S. Bureau of Prisons, says flatly: "That's part of the consequence of committing a crime. You've automatically volunteered for the certain way an institution is run."

NEW PERSON. Some behaviorists are even less sensitive to the individual inmate's right to say no. They seem instead to have adopted an end-justifies-the-means philosophy that is inimical to, or ignorant of time-honored American values. M.I.T. Psychology Professor Edgar Schein, for example, once urged that certain of the brainwashing methods used by the Chinese Communists on American P.O.W.s in Korea should be employed on criminals. Though sometimes "cruel and coercive," he argued, "these same techniques in the service of different goals may be quite acceptable to us." James McConnell, a psychology professor at the University of Michigan, is even more blunt. "I don't believe that the Constitution gives you the right to commit a crime if you want to," McConnell has written. "Therefore the Constitution does not guarantee you the right to maintain inviolable (your) personality -- if and when that personality manifests strongly antisocial behavior."

Libertarian lawyers, of course, disagree. "Behavioral scientists think they are the Messiah come to deliver us," says the A.C.L.U.'s Alvin Bronstein. "I think that the Bureau of Prisons had to come up with something new, a response to the prisons blowing up all over the country." But if the right to privacy means anything, he adds, "society should not be able to say we can make you a new person." Responding to such criticism at a House Judiciary subcommittee hearing last week, Norman Carlson, director of the Bureau of Prisons, said that he had always opposed the use of psychosurgery, drugs and electroshock. Carlson does, however, favor using the expertise of behaviorists to help penologists do what they have supposedly always done -- "encourage people to change their behavior."

But what are the limits? Obviously, some legal framework is needed, and quickly. The A.C.L.U.'s Bronstein estimates that some form of behavior mod is now in use in about 20 states. A majority of New England Governors last month tentatively agreed to back a new joint facility for "special offenders" that will depend on behavior modification, including "the use of drugs to control disruptive behavior." Despite canceling START, the Federal Government is building an institution at Butner, N.C., which will have a behavior-modification section for 200 volunteer inmates.

CAT HOUSE. Clear-cut administrative policy is also necessary to prevent behavior mod from simply going underground to avoid adverse publicity. Bureau of Prisons Director Carlson recently said in an interview: "We're going to start programs in all our penitentiaries' segregation units. Only they won't have titles that carry such emotion." The Law Enforcement Assistance Administration has just barred the use of its subsidies for "behavior modification," but L.E.A.A. grants can easily be salvaged by state administrators with wit enough to rechristen their programs.

If legislators and judges would produce effective guarantees of voluntariness and ban physical abuse and "excessive" psychological pressure to modify the behavior of nonvolunteers, then much of the controversy surrounding behavior mod might well dissipate. That would leave more energy for trying to turn promising programs into full-fledged successes. In Denver, for instance, 18 incorrigible delinquents inhabit the CAT house, more formally known as the Colorado Closed Adolescent Treatment Center. The kids run their own modification program, with adult guidance. It has worked astonishingly well inside the institution. But "our biggest problem is getting the kids out of here," says Psychologist Vicki Agee, who is in charge. The first five youngsters due for release all ran away shortly beforehand, then asked to return and be kept longer in the institution. That speaks highly indeed for the program but leaves it tantalizingly short of regularly turning out functioning citizens.

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GOINGS ON ABOUT TOWN

NUMBER ELEVEN UNIT

by Mel Young

THE HIGH-LITES OF THE MONTH WERE THE happy smiles on the faces of those who walked away from the T.L.A. Boardroom with Christmas T.L.A.'s confirmed. There has been a total of seven Christmas T.L.A.'s granted out of sixteen applications. Not near as many T.L.A.'s were granted as the residents of this unit had hoped would be. I am sure that those who were granted the opportunity to spend Christmas with their families, friends and relatives are grateful. If we can have a one-hundred percent success rate with our T.L.A. program during the New Year, possibly, more people will be able to spend Christmas 1975 with their families instead of just wishing they could.

Christmas Decorating Competition: the fifty dollar prize for the best decorated unit at Christmas time is becoming almost as important to many residents within the Institution as the Stanley Cup is to the Montreal Canadians. One week prior to Christmas Day, many people were scurrying around the unit like busy beavers. Some were carrying pretty Xmas wrapping paper, others were carrying fir trees, cardboard fireplaces, etc. etc. That wasn't all; in the middle of sub-control stood JOE JACKSON, armed with a paint brush, water paints, and a can of snow spray. Joe reminded me of an artist painting cartoons, only Joe

was creating colorful designs all over the sub-control windows.

A great deal of work was put into G-Range under the direction of BOB BAILLIE. PAUL AUGUSTINE and DAVE OGDEN painted many beautiful pictures and signs to hang on the unit walls. All the people on NUMBER FOUR LABOUR and the UNIT CLEANERS threw in their time and efforts in a determined effort to make it two years in a row for Number Eleven unit having the best decorated unit within the Institution. After the judges -- staff members from NUMBER THREE BUILDING -- made their rounds of the units and their score sheets were turned in, NUMBER NINE unit was declared the winner. They had a beautifully decorated G-Range with a Christmas-in-Las-Vegas setting. Congratulations NUMBER NINE.

The Inter-Unit Dart League started a new season off just two weeks ago. The sharp shooters in our unit got our team off to a good start by defeating NUMBER TEN the first night seven games to six. The following week, we edged by NUMBER EIGHT thirteen games to their twelve. This early in the season makes it hard to judge who the best shooters on our team will be; if any indication can be taken from the first two series of games, the honours would have to go to PAUL AUGUSTINE, CONRAD PLEASANT, and BOB BAILLIE.



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The Poetry of Frank Guiney

FRANK GUINEY (pronounced "guy-knee") was born in Vancouver, British Columbia forty-two years ago. He recieved no formal education beyond high-school and is self-educated.

He began serving time in penitentiary when he was twenty years old. In 1972 he was shipped to Dorchester Penitentiary from the West, and subsequently released in June 1973 from Joyceville in Ontario. He has done time in nearly every prison in Canada.

Frank began writing during his early terms in prison. He was one of the founders of the Penal Press. He has also trained himself as a lawyer and helped to institute some meaningful changes into the Criminal Code.

Upon his release in the summer of 1973, he served as a co-instructor and adviser at Dalhousie Law School in Halifax, N.S. with a project that became Penitentiary Legal Services -- an independent legal counselling group operating out of Dorchester.

His "Poetry In Prison" opus won first prize in 1972 in the Prison Arts competition - yielding him a supposed \$300.00 scholarship. Many of his poems and writings appear in "...and all the queen's men...." -- an original stage "presentation" of the writings and other art of men in Dorchester currently in rehearsal for a national tour by the CON-ACT workshops in Springhill. Guiney has also had two professional readings of his works on national C.B.C. television.

He is currently in Victoria, British Columbia awaiting trial on an alleged charge of Armed Robbery.

POETRY IN PRISON

NOT TOO MANY YEARS AGO, WHEN PRISONS WERE EVEN GRIMMER ESTABLISHMENTS THAN THEY are today -- when life inside was 18 hours a day lock-up in a five-by-ten cell with no plumbing; and "recreation" consisted of a 20-minute walk in a single file circle; and "conversation" was talking real low without moving your lips; and "visiting privileges" won you 15 minutes once a month with a guard at your elbow; and the routine was shaved heads and lock-step and the silent system and bitter black tea and do-your-own-time; and Rule 32 made laughing a crime; and the "cat" and the paddle were regular reminders that punishment, silence, and solitude were the basic ingredients of repentance and reform -- in those days, a secret literary art form was already well established and flourishing in our prisons.

Surreptitious in its conception, and furtive in its lifetime, this bit of underground culture functioned quietly for decades behind the gray walls, spreading from cell to cell, from block to block, and from memory to memory by whispered word of mouth. It was a smidgeon of free expression, a part of man that cannot be contained by shackles and bars and concrete; it was a bit of feeling, a scrap of humour, a little release that could not be stifled by the rules and regulations and punishments and deprivations of a caged world.

It was ragged; it was rough; it was cynical; it was ironic. It was funny and it was tragic. It was love and it was hate. It was the jailhouse ballad -- the poetry of men in prison.

In every sense a truly "inside" culture medium, convict poetry was often bitter and mean, because it was written by men who were often bitter and mean; but surprisingly enough, it was just as often sensitive and trenchant and beautiful.

It was written only for other convicts. Seldom did the "square-john," the outsider, ever encounter a real jailhouse poem; and if he did, he could rarely feel, or fully comprehend its impact, because the experience of the poem could not possibly relate to anything within his frame of reference. Convict irony and convict humour would go over his head; and convict sensitivity would fail to penetrate his heart. The joke, the tragedy, the understanding, was ours alone, written between the lines; unspoken, sub-surfaced -- much in the style we lived our lives; much like the expressionless faces we showed to our keepers.

What outsider could fully understand:

"Don't get down-hearted, young fellow,
Because you don't get any mail;
The girls soon forget you are living,
They can't use a Daddy in jail.
Oh, they'll cry
And they'll say that they love you,
And swear they'll be true to the end --
But the girl that don't bolt
When you're doin' a jolt,
Is one-in-a-million, my friend."

Sure, the surface message expressed in those under-stated anonymous lines is obvious -- especially to anyone who has been a loser in the love-game -- but only another prisoner could fully appreciate the gut-wrenching agony and despair alluded to by the unknown writer.

To anyone who has "done a jolt", that little stanza conjures the whole painful story -- a story of hope and good intentions and resolution and love and longing and broken promises, of clinging desperately to a bit of solidity in a sea of loneliness; of predicating your whole life on faith in another. It's a story of rose-colored glasses, and starry eyes shining through wire mesh screen; eyes alight with the often mistaken optimism that love conquers all. And it's the grinding, frustrating, soul killing story of the frailty of the human condition when the inexorable, debilitating crush of time tests its slender underpinnings.

It's a story of bitterness and tears and insanity; of slashed wrists and hanging bodies; of broken dreams and broken men; of a shrunken world of helplessness and despair three paces long and an arm-stretch wide.

It's an unwritten story directed to other prisoners in other five-by-tens, in other endless nights.

That was the old prison poetry; for prisoners only.

How many square-johns ever heard of "The Ballad of Morphine Bill"? Or "The Dope Fiends Convention"? Or "Three Way May"? Or the multitude of verses scratched on the walls of holding jails across the country?

These were the real jailhouse ballads, composed behind bars, committed to memory, and repeated in the sweat-shops and on the work gangs for the appreciative ears of contemporaries -- when "the bull" wasn't looking. If the ballads were good, they endured, were passed on; and they eventually spread from coast to coast, handed down through generations of prisoners. But the poems remained within the bounds of the prison sub-culture and the "rounder" element.

Once in a while, an exceptional talent would attempt to "bust out", to tell it the way it is, to try to communicate in the language of the real world; or, as in England, the rare genius of an Oscar Wilde would be thrust into the mysterious, distorted half-life of prison existence, taste of its bitterness, and then try to convey the stultifying horror of the caged and the damned to those who cannot know....

But even then, given the genius of Wilde, I wonder how many people of his time could reach deep enough into "The Ballad of Reading Gaol" to smell the disinfectant and the fear; to hear the echo of clanking steel and the eerie moans of tortured sleep; to feel the real hunger-ache in a man looking up from the dankness of a concrete pit -- for that "little patch of blue that prisoners call the sky"?

We knew. Because that kind of prison was part of our lives.

And -- you can believe it -- there are still "Reading Gaols" in this country.

Things are changing, of course, ever so slowly. Penitentiaries and jails are mostly old, unwieldy monsters that seldom lend themselves easily to enlightenment and new concepts; but the prison secret, the isolated, inviolate mystery of yesterday, has been breached, and there are ever widening leaks in the concrete curtain.

Prison poetry has changed with the times. In Canada, the "new look" began back in the early 1950's when the penal press was born and penitentiary convicts were permitted a limited medium of expression and communication with the outside world.

Prisoners who cared about such things suddenly realized that the feelings and ideas they expressed on paper would now be read by people unfamiliar with the prison ethic; and that communication to all levels had to be a prime consideration in any search for understanding and empathy and -- hopefully -- progress.

The penal press -- much to the credit of its originators -- was at first a squalling, brawling infant flailing away at everyone; but despite the inevitable growing pains, the pen papers eventually flourished and matured, achieving in many instances, a remarkable measure of rapport and acceptance. Unfortunately, the noisy infant may have got a little big for its britches, and after 10 years of life, was abolished and forbidden in this country. Canadian penitentiaries today have no penal press, per se.

But the attitude of expression has stuck. Prisoners still write poetry; but its scope has widened, taken on a new tone. Just as prisons are not as mysterious as they were 30 years ago -- or even 10 years ago -- neither is prison poetry. And it may be that outsiders understand more and listen a bit closer and care a little.

But the poetry of the prisons still retains a certain uniqueness, and is an art form in its own right. Other forms and styles are very similar, like the "bunkhouse ballads" of the Western Logger; and the poetry of the Yukon, immortalized by Robert Service.

"And hunger, not of the belly kind
That's banished with bacon and beans;
But the gnawing hunger of lonely men
For a home and all that it means;
For a fireside far from the cares that are;
Four walls and a roof above --
But oh, so cram-full of cozy joy
And crowned with a woman's love."

Like Oscar, Service knew where it was at -- and prisoners knew what he meant. But it wasn't quite jailhouse poetry.

Yesterday's jailhouse ballads are fast disappearing. No one memorizes them anymore. Maybe somewhere, some place, someone has compiled a collection of them for posterity; or perhaps some old lag or lifer has a few tucked away in the dusty obsolescence of his memory; but, for the most part, they are probably lost forever, buried under layers of paint in city lock-ups, or laid to rest in unmarked graves in the shadow of the Wall.

And if the ghosts of yesterday's legion of unknown, unsung jailhouse poets are peering over my shoulder tonight, I can only ask their forgiveness for a woeful ineptness in trying to do what they would have done so much differently.

I'm sure they'd understand; because there's something about a prison cell that awakens in almost everyone a craving for expression, a need to communicate (if only with one's self); an urge to spill out the pin-pointed, polarized emotion of the moment -- in one way or another.

Give any prisoner a stub of pencil, a scrap of paper, and an empty, swelling ache in his chest -- and something truly genuine and beautiful could some day emanate from that five-by-ten he lives in.

There's steel and concrete in there; and a toilet. There's some bloody history and a multitude of sad memories; there's three walls that "steal the light, and give back nothing in return"; but there is also a very human being in there, with a heart, with a soul -- and with at least a few of the saving qualities of mankind.

Some of us still recall a piece of free verse (no pun intended) which circulated through the British Columbia Penitentiary about 20 years ago. Its origin and its author are unknown, but its message, certainly, will be forever contemporary.

Maybe that particular jailhouse poet summed up what we are all trying to say -- in one way or another:

"SEE THAT GUY
OVER THERE?
THAT'S ME.
IF YOU DON'T
BELIEVE ME,
GO AND ASK HIM.

BUT DON'T BE SURPRISED
IF HE SAYS
HE'S YOU."

the good dies young

we never saw the kid again.

they put him on a stretcher
and blood was trickling
from his ears and his mouth,
making little red froth bubbles
when he breathed --
and both his legs
were twisted real crazy,
and his heels were crushed,
driven up to his shins --
and he'd bitten a piece
from his tongue
and fractured
a couple of vertebrae
and punctured a lung.

he left a pool of blood
on the bottom tier.

he came back --
but something died.

and we never saw the kid again.

.....

we never saw the kid again.

they took him away
with tourniquets on both arms
and blood
gushing from his wrists
in great blobs
everytime his heart beat --
and they found
a razor blade in his cell.
stainless steel.
krona-chrome edge.
look sharp, feel sharp, be sharp.
he'd seen them on T.V.
but he'd never used one before
because he was too young to shave:

but he was old enough
to open up
a couple of arteries.

he came back --
but something died.

and we never saw the kid again.

.....

we never saw the kid again.

they brought him in,
wide-eyed, scared, confused,
a stranger trying not to show it;
locked him in a cell --
and when they slammed the gate,
the back wall
seemed to hit him in the face,
and the realization
of just how many nights
there are in a year
hit him in the guts;
and suddenly
he knew he was in.
for real --
and he felt like
crying.
but it was the last time
he felt like crying.

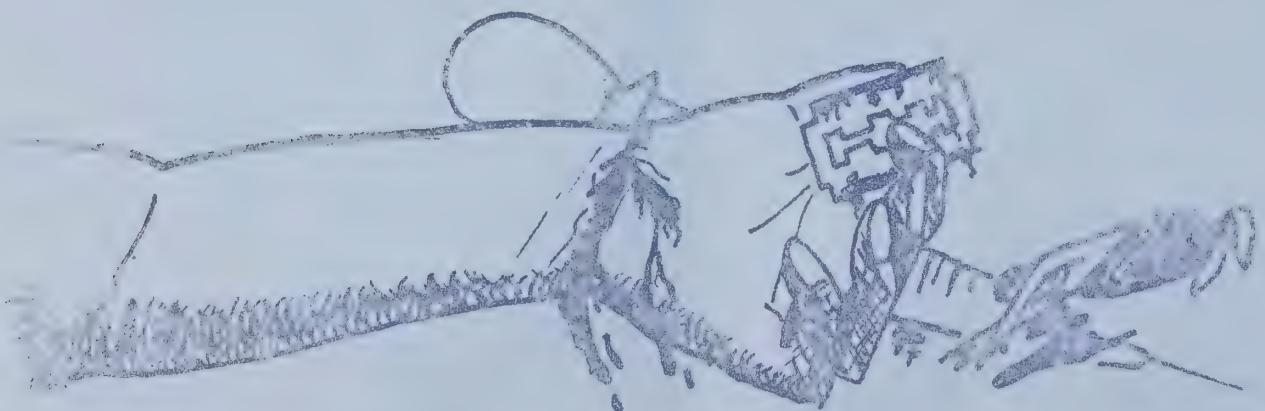
he didn't jump.
and
he didn't slash.

he got used to it.
learned a few things.
tried a little dope.

he's come back --
lots of times.

but we never saw the kid again.

something died.



(God Wears A White Hat)

Time, the Enemy,
The non-existent reality
We use
To flagellate our souls:
We created Time.

This is not to say
That Time is imaginary
Just because
It doesn't exist.
No.

Like Fear,
It is a mind-creature;
But it is also
A subjective experience
And therefore
Real.
Maybe realer than real.
We also created Fear.

We created Time.
We created Fear.
And why not?

We created God.

We made Him
In our image and likeness
And gave Him
A white hat:
Because God is a Good Guy.

And what good
Is a Good Guy
If he can't

SCARE

somebody?

And how in Hell
Can you

SCARE

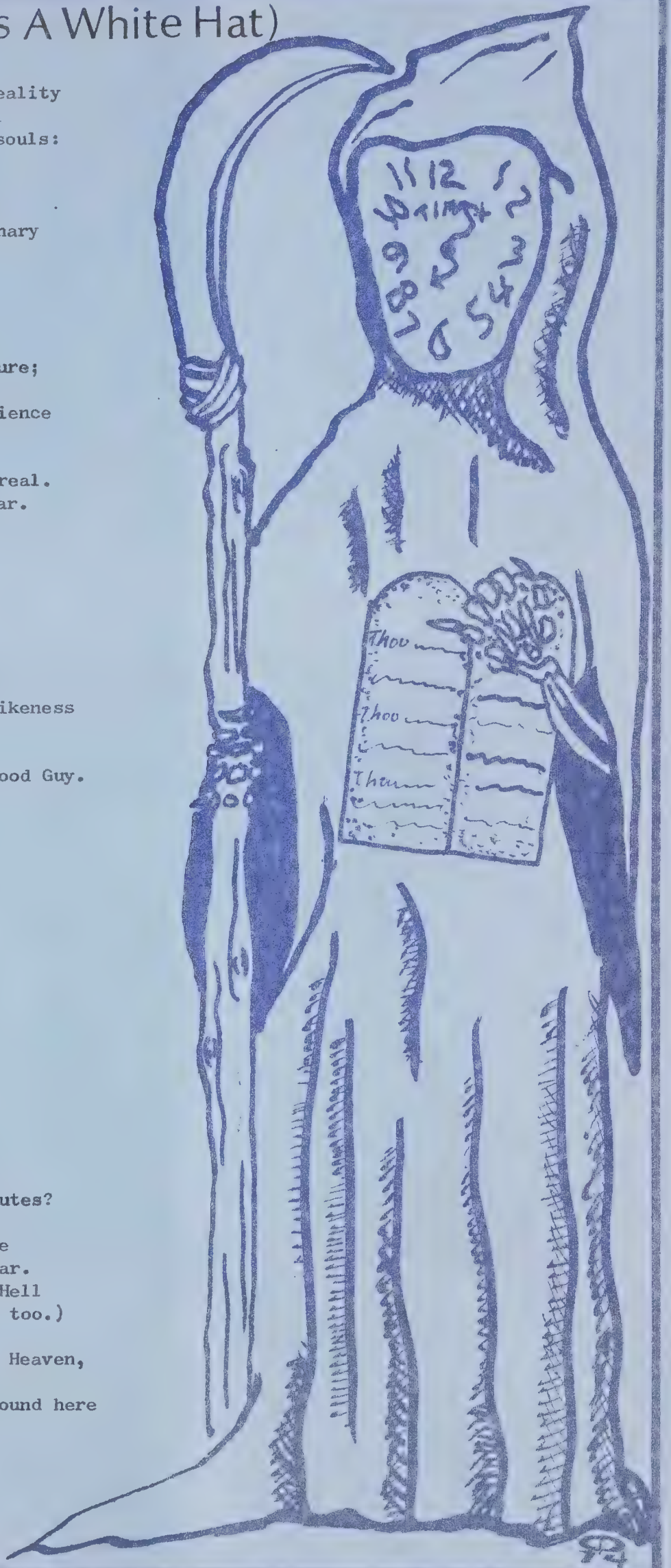
somebody

Unless you can
Frighten him
With years and minutes?

So we invented Time
And we invented Fear.
(And, speaking of Hell
We invented that, too.)

Don't ask me about Heaven,
Because Heaven
Might have been around here
Someplace
Before
We created Time.
And Fear.

And God.



IN THIS INVERTED GARDEN

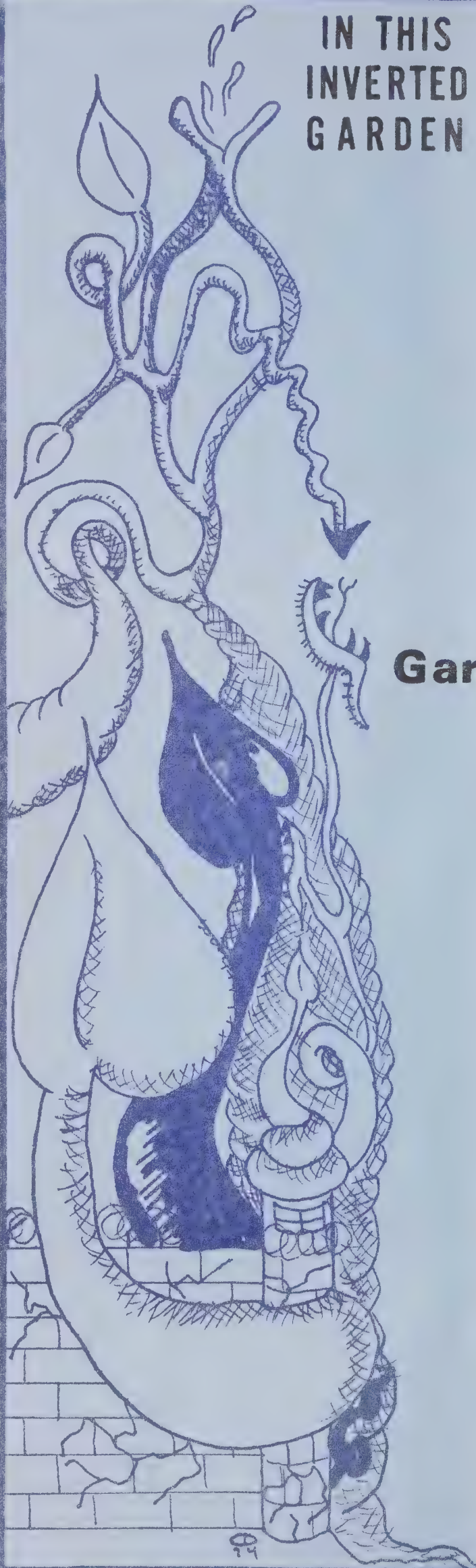
I saw
A rose bush growing
Upside-down
In an inverted garden,
Skinny black roots
Reaching toward heaven;
And among skeletal tubers,
A half a robin
With only one eye
Struggled feebly
In the crush
Of a robin-eating
Earthworm;
And high o'erhead
A black swan
Glided backwards
In a watery sky
Of paper yesterdays
And a vulture
Called tomorrow
Grinned
A tinsel-feathered grin
Because today
Was forever smothered
In an inverted garden.

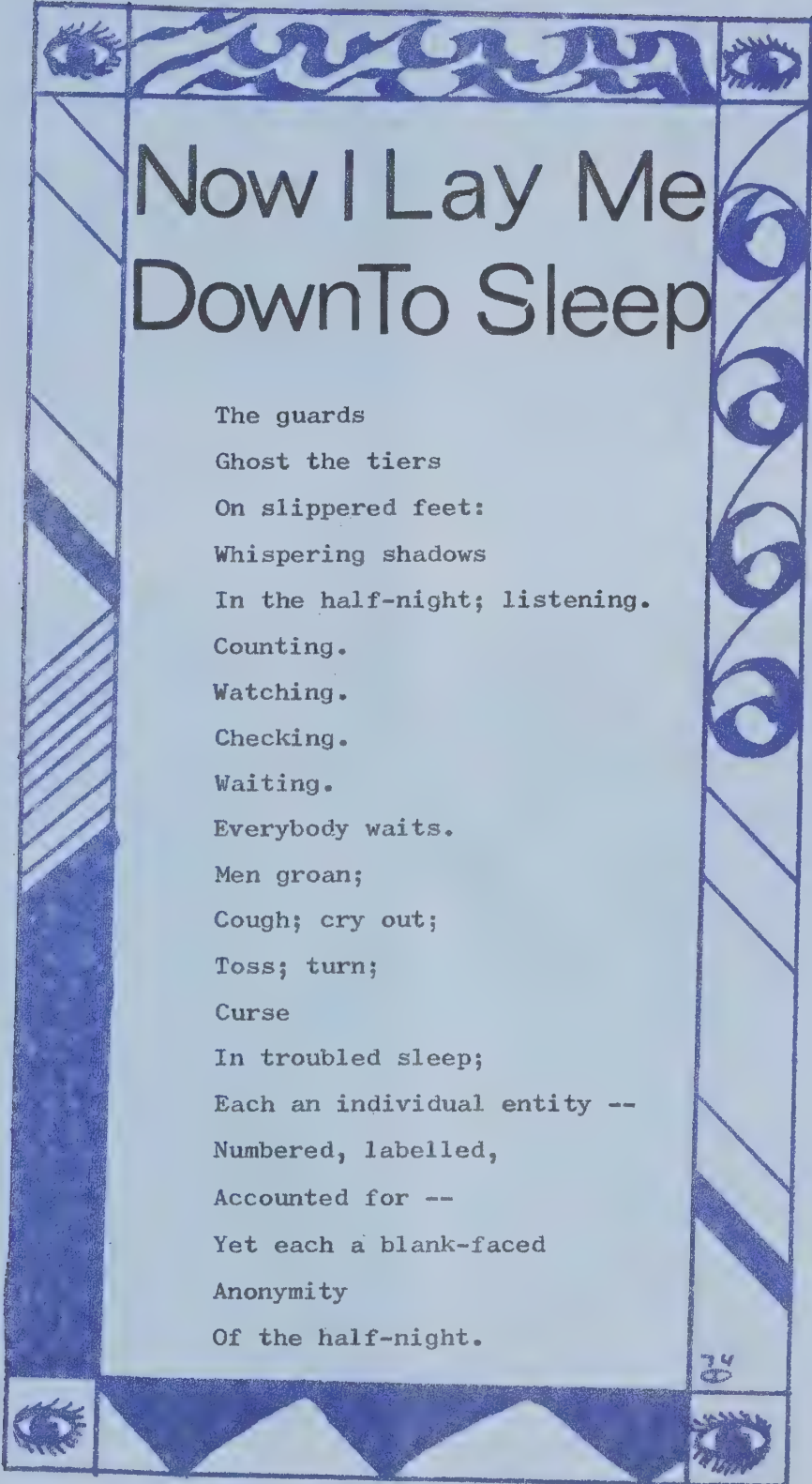
Garden of Ashes

In a cosmos
Predicated on flux
And constant change,
In a universe
That is a magnificent schematic
Of infinite contingencies,
In a world
Of birth and death,
Of re-birth and new life --
The prison endures
As a lumbering concrete zombie,
A monument to the living dead,
Dedicated to stultification
And to

Sameness:

The macabre prison garden
Of ashes and dead twigs
Clutched in the gray embrace
Of the Zombie,
Whose bars and concrete
Are its bones and its flesh
Cold symbols of its rigidity --
And that of its mentors.

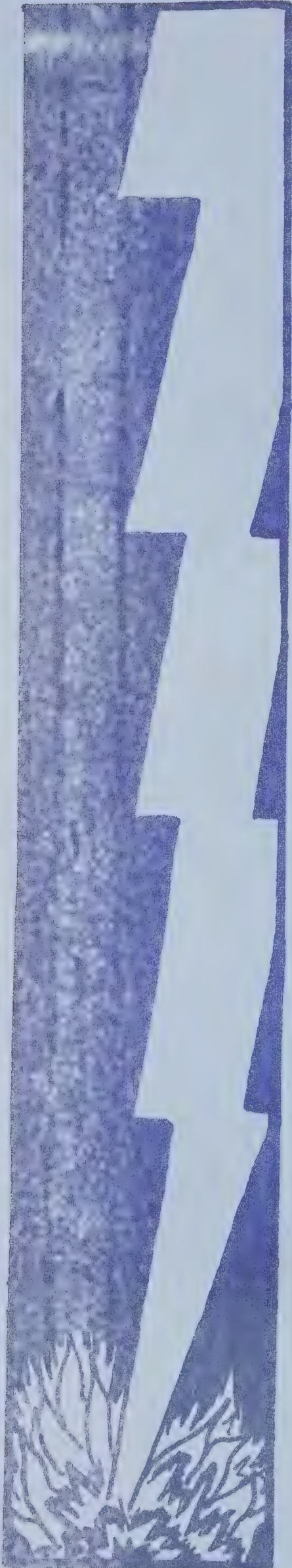




Now I Lay Me Down To Sleep

The guards
Ghost the tiers
On slippered feet:
Whispering shadows
In the half-night; listening.
Counting.
Watching.
Checking.
Waiting.
Everybody waits.
Men groan;
Cough; cry out;
Toss; turn;
Curse
In troubled sleep;
Each an individual entity --
Numbered, labelled,
Accounted for --
Yet each a blank-faced
Anonymity
Of the half-night.

74



Slim

Pickins

When it's night-time on the skid road,
'Round Cordova Street and Powell,
Then from a darkened doorway
Comes Slim Pickins on the prowl....

The Coppers never see Him --
He's much too quick and sly --
But the dope-fiends, rubs, and prostitutes
Will meet Him, by-and-by.

He slips into the alleyways
Where drunkards sometimes lie;
He finds 'em by the shadowed walls
Where drunkards sometimes die.

A whisper on a musty stair;
Soft footsteps down the hall;
Cold fingers brush a hollow cheek;
Old Slim has come to call:

(Sleep on, sleep on, young dope-fiend,
Your race is all but run;
You saw but sixteen summers --
Tomorrow you'll see none.)

Old Wino in a doorway,
Crumpled, lifeless heap;
Slim has finally got you,
And you sold out pretty cheap:
(Oblivion in a bottle,
With goof-balls, five or six --
You must have known, old timer,
That wine and pills don't mix....)

And here, a four-and-twenty-whore,
All bloody in a bed:
She thought she had a customer --
Slim Pickins came instead.

Oh, He's never short of prospects,
He'll seek 'em out somewheres
In the sour smell of piss and puke,
In hallways; on the stairs.

And those that ain't quite ready,
Why Slim don't even try --
Tomorrow night's another night,
And He'll get 'em, by-and-by.

(You folk along the skid-road,
You know you just can't cheat;
Old Slim is still the Dealer,
And you're on Slim Pickins' beat....)

The Coppers never see Him --
He's much too quick and sly --
But the dope-fiends, rubs, and prostitutes
Will meet Him, by-and-by.

(con't.)



'Cause He's

An icy wind on Hastings Street;
He's a shadow in the rain;
He's a slug in a jug of Baysie Rum;
He's a thought in a fevered brain;

He's the shabby hope in a cap of dope;
He's a love that withered and died;
He's oblivion bought, if you don't get caught;
He's goddamit-to-hell-I-tried;

He's a boot to the head in the city jail;
He's too many bridges burned;
He's the up-too-tight, can't-sleep-at-night
Of too little, too late returned;

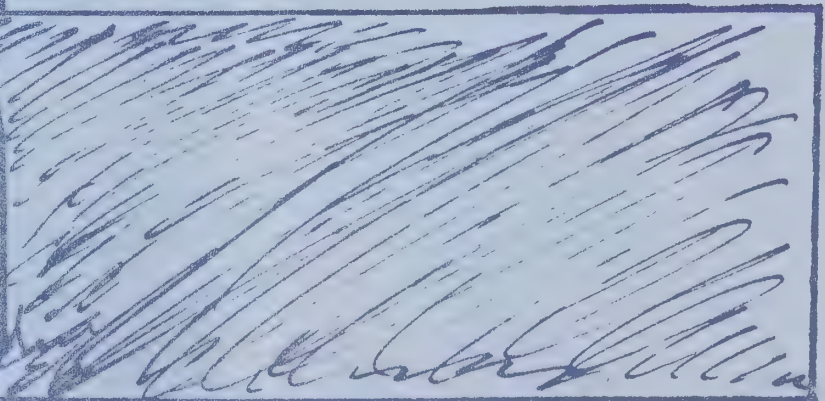
He's the sordid gloom of a two-buck room;
And you can feel Him waitin' near:
A piece of the night just out of sight,
A gut full of nameless fear....

* * *

And just before the mornin' gray
Pre-empt's the night-time sky,
It just may be that you (or me)
Have found a place to die.

The Coppers never see Him --
He's much too quick and sly --
But you Rounders and you Workin' Girls,
You'll meet Him, by-and-by.

* - * - * - *



color me blind

I had a friend once
and his name was Nate
and he was black

we got along real good

still do
but we aren't really
friends anymore

he was neither panther
nor uncle tom
and I was neither wasp
nor bleeding heart

we were both
I guess
relatively healthy

to a point

not martin luther king healthy
of course
martin luther king
had nothing
to do with it

Nate was just blackness
and I was just whiteness

which was quite enough
to overcome
without getting
non-violent about it

if he got egotistical
or prideful
which
I am happy to say
he often did
I didn't think

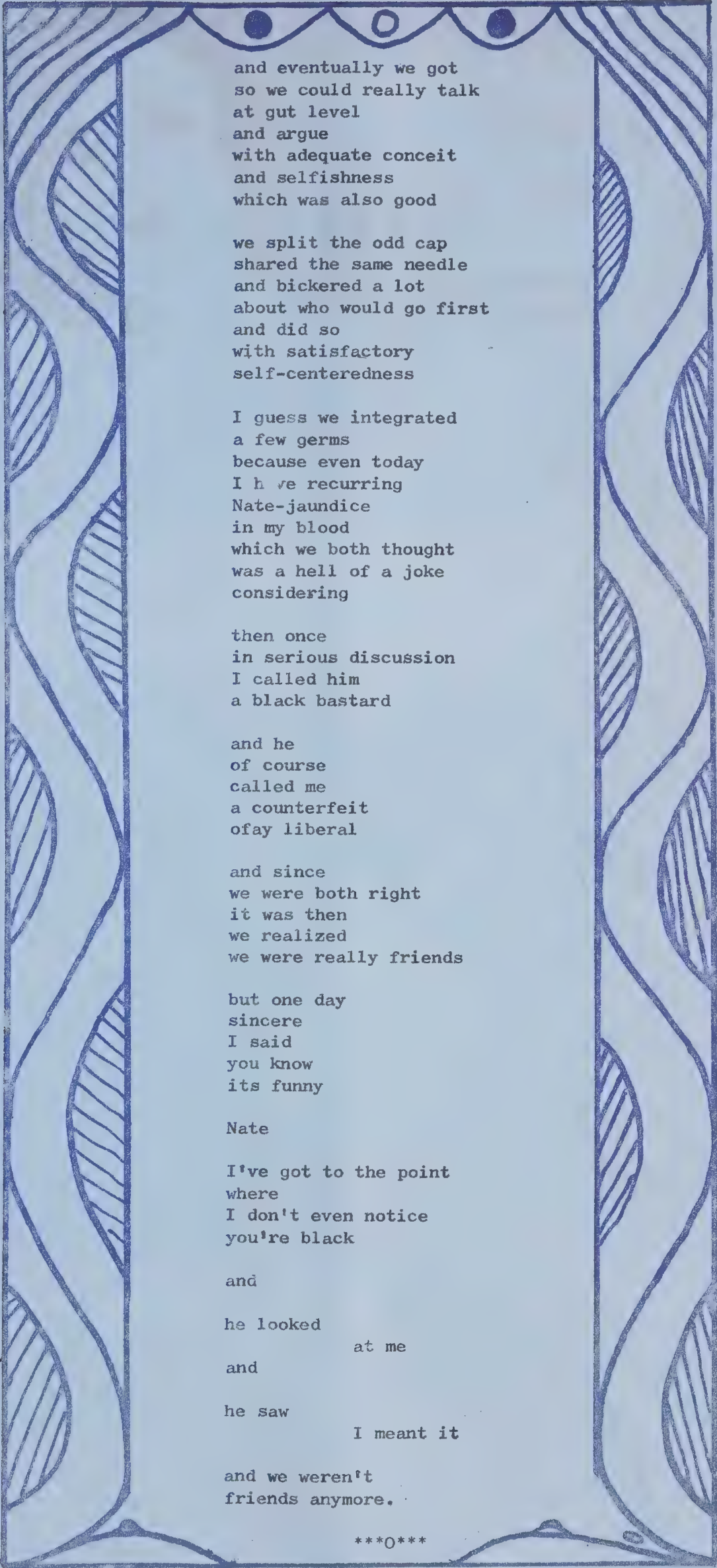
uppity

and
if I got boorish
or overbearing
which
I am sad to say
I often do
he didn't look at me

cracker

we slept in the same dormitory
big deal

we played cut-throat poker
and torture-score bridge
and gin and pinochle
and we were mean
and ruthless
and we cheated like hell
but colorlessly, I think
which was good



and eventually we got
so we could really talk
at gut level
and argue
with adequate conceit
and selfishness
which was also good

we split the odd cap
shared the same needle
and bickered a lot
about who would go first
and did so
with satisfactory
self-centeredness

I guess we integrated
a few germs
because even today
I have recurring
Nate-jaundice
in my blood
which we both thought
was a hell of a joke
considering

then once
in serious discussion
I called him
a black bastard

and he
of course
called me
a counterfeit
ofay liberal

and since
we were both right
it was then
we realized
we were really friends

but one day
sincere
I said
you know
its funny

Nate

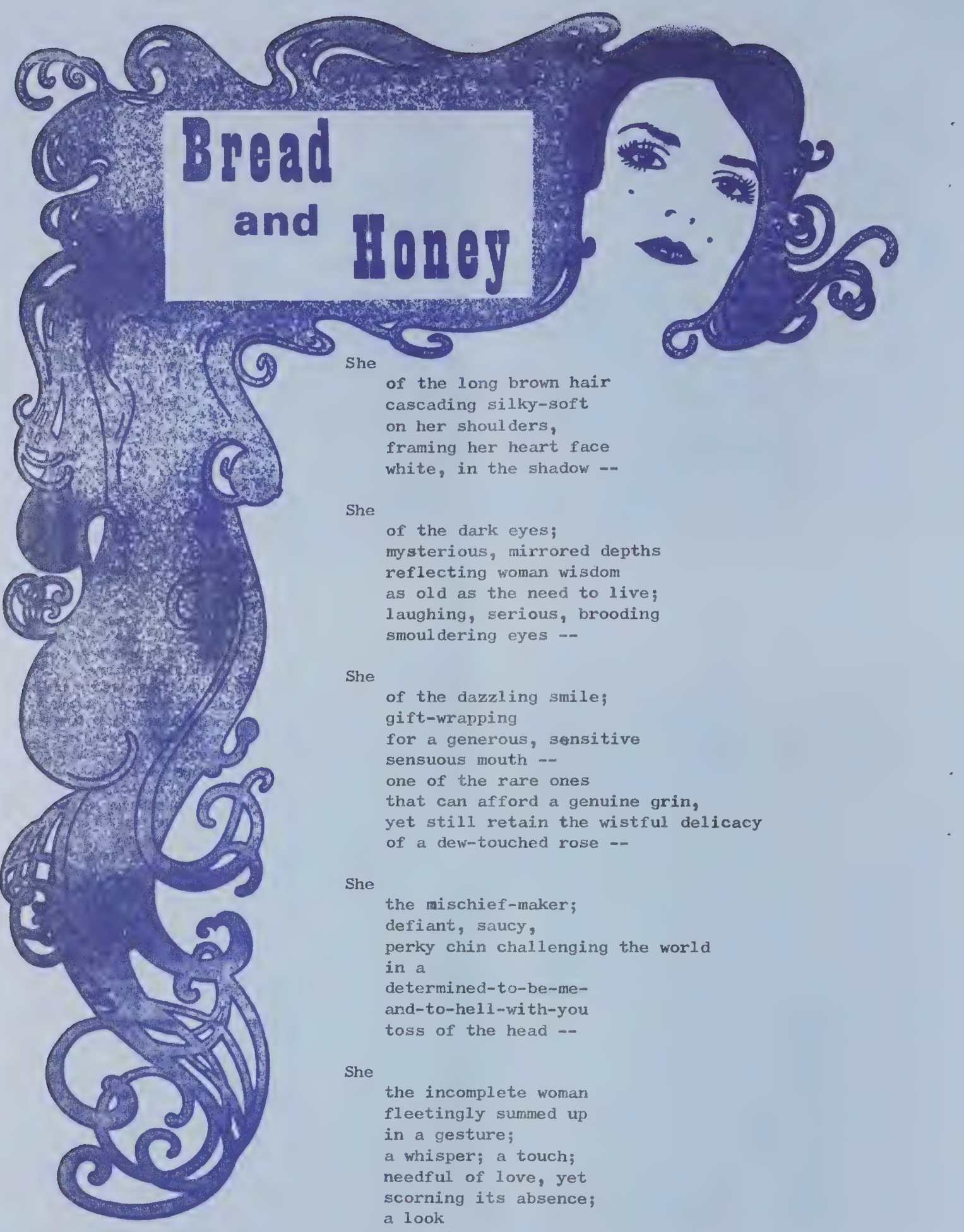
I've got to the point
where
I don't even notice
you're black

and

he looked at me
and

he saw I meant it

and we weren't
friends anymore.



Bread and Honey

She
of the long brown hair
cascading silky-soft
on her shoulders,
framing her heart face
white, in the shadow --

She
of the dark eyes;
mysterious, mirrored depths
reflecting woman wisdom
as old as the need to live;
laughing, serious, brooding
smouldering eyes --

She
of the dazzling smile;
gift-wrapping
for a generous, sensitive
sensuous mouth --
one of the rare ones
that can afford a genuine grin,
yet still retain the wistful delicacy
of a dew-touched rose --

She
the mischief-maker;
defiant, saucy,
perky chin challenging the world
in a
determined-to-be-me-
and-to-hell-with-you
toss of the head --

She
the incomplete woman
fleetingly summed up
in a gesture;
a whisper; a touch;
needful of love, yet
scorning its absence;
a look
that will etch your mem'ry

and also break your heart

because
you know it can never be --

She
because
God took a coffee-break
the day He made
both of her.

reflections on a disposable peppermint stick

who put the red in the peppermint stick?
I guess it had to be me --
for I tasted the sweet
of the peppermint stick:
a nibble...
or two...
or three...

but after a time
the peppermint stick
began
to devour me...

so watch out, my friend,
when you grab too quick
for the sudden sweet
of the peppermint stick:

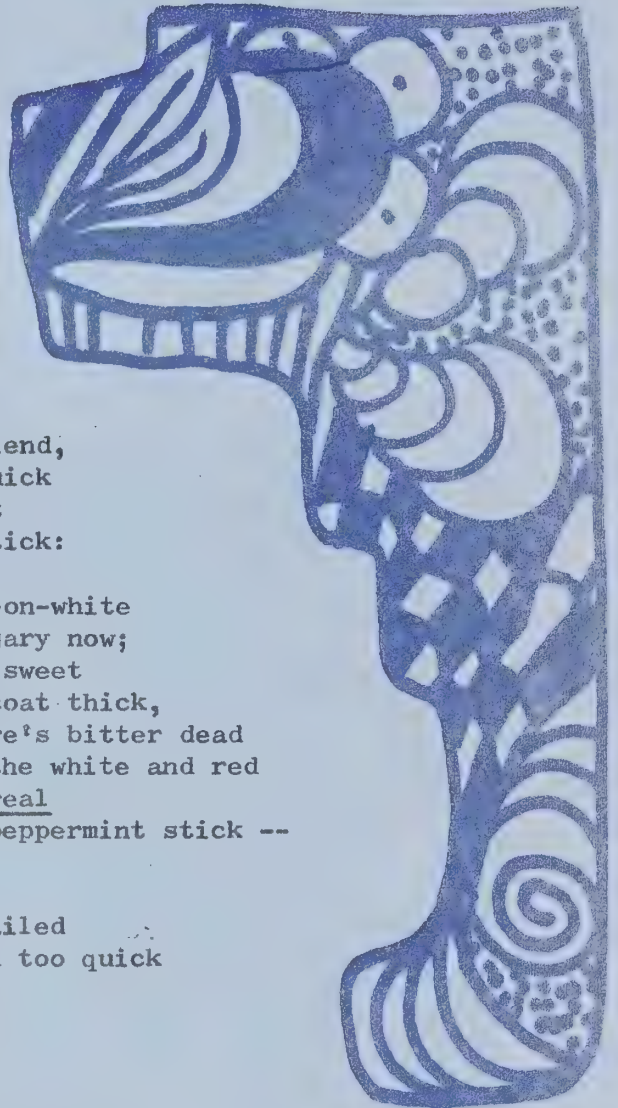
the red-on-white
is a sugary now;
but the sweet
is one-coat thick,
and there's bitter dead
'neath the white and red
in the real
of the peppermint stick --

blood-sucked bones
that grabbed, and failed
because they grabbed too quick

and we are the ones
who squirm, impaled

on the thorns
of the peppermint stick....

oooooo



To Die Testate

In a walk-up on Cordova Street,
They found him, stiff and cold:
Just another derelict,
Alone, unmourned, and old....

They wondered for a breath or two,
At the sardonic smile he wore --
And then they found his testament
Where it had fallen on the floor.

His will was left unwitnessed,
But it's never been contested;
It's wording was as follows,
As in it, he requested:

"The cash within my pockets,"
(A dollar-sixty-three)
"To be given to the first old bum
On skid-row that you see;

"My worn and shabby top-coat,
Though not my taste in cloth,
I leave, if he will have it,
To some under-nourished moth;

"My Massey-Harris pocket watch,
I leave to Judge McGee --
Lord knows, he was most liberal
With the time he gave to me --

"And to my 'faithful' relatives,
I leave with no regrets,
The sole responsibility
Of paying all my debts;

"These broken shoes to some young fool
Who's bound to follow me;
Tell him of the steps I took,
How I died a real hep gee....

"To the undertaker goes the gold
Inside my left incisor;
Then half my body for the worms,
The rest for fertilizer."



*main stem hotel
on the first night out*

up? down?
fool.
it's automatic.
ha!
so am I.

carpeted halls
and a door
with a number
(to go with this
clackety-clack symbol
of one night's identity).

walking distance
to the heart
of the Dirty Lady.
big deal.
so have a seat
on the edge
of the Big Girl's petticoat
for a year's g.c. pay --
and look at yourself
in the mirror.

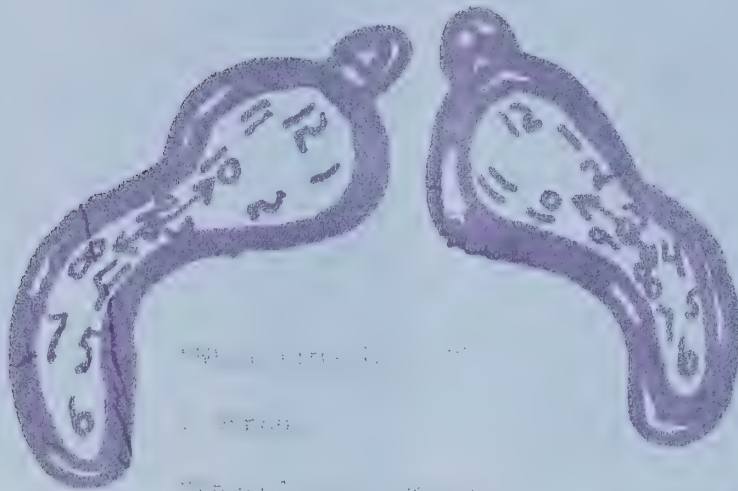
no.
don't do that.

look at the furniture:
same thing --
anonymous, glass-topped
expressionless;
veneered,
devoid of personality,
and no place, really,
to go;

more or less new,
a please-everybody motif
of Cream of Wheat Modern,
consumer-average insipid;
a decor
that will never exceed
the speed limit
and never get too shabby
or tainted
with individuality....

and they wonder
why some people
smash furniture.

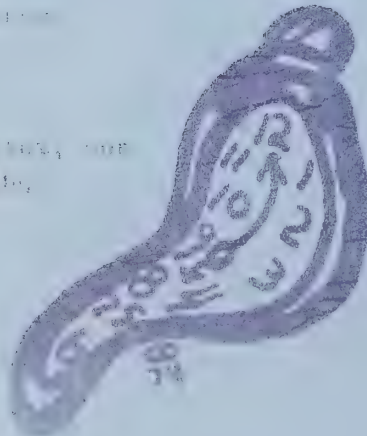
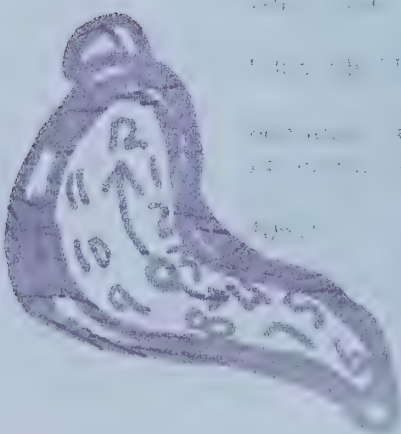
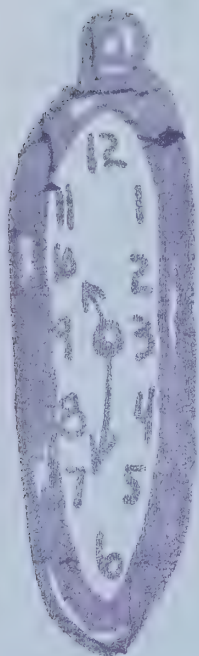
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THE SPRINGHILL POPULATION REACTED TO MRS. BALSER and a group of entertainers that numbered around thirty, as if we had received a special treat -- and we had! When we were given directions to go to the gym, if we wanted to see the "Variety Show", I shuffled down with the rest. I was not quite sure of what to expect as I walked down the walkway; my thoughts half wandering around why little droplets of water collect themselves on the under side of the ceiling, but I quickly dismissed the idea once I settled into my seat, and pulled out my note sheet to assume my "roving reporter" role. The curtains opened.

In the foreground stood four musicians who later were identified as "THE BLUEGRASS PALS", and in the background, huddled together like a huge family on right stage, were a group of little ladies from three years old on. Mrs. Balser walked up to the microphone and introduced GERRY MYERS, of "BUNKHOUSE BOYS" fame, who went through a repertoire of numbers backed by "THE BLUEGRASS PALS".

"THE BLUEGRASS PALS" - LOUIS ARSENAULT on guitar and mandolin; EDMUND ARSENAULT on electric bass; SONNY DERAULT, lead vocals and acoustic guitar; and ERNIE RICHARD on fiddle, did a few of their numbers, and backed LITTLE GRACE for a few of hers.

Apart from this main section, MRS. BALSER brought down many entertainers who varied both in age and numbers. DANNY GAUTREA, accompanied by his pretty sister ELAINE on acoustic guitar, interpreted a few songs. Then CHRISTINE and RACHEL, who were about eight years of age, did a few numbers backed by the "PALS". MARY and DIANE, a sweet pair of little ladies, sang to their own accompaniment. DEBBY and SHIRLEY - GERRY MYERS' daughters - also did a few songs. So went the musical part of the program. The songs were western, sentimental favorites, and a bit of Bluegrass.

There was another aspect to the entertainment which was mostly due to MRS. BALSER'S teaching talents, and this was dance numbers. There were Harem Dancers, Tap Dancers, Ballet Dancers, Russian Dancers, Majorettes, three-year-old dancing angels. All of them performed by girls, who varied in age from three years up to early teens. Colorful costumes helped set the themes, along with MRS. BALSER'S piano backing. (cont'd next page)



JAMES GOGAN WHOLESALE LTD.

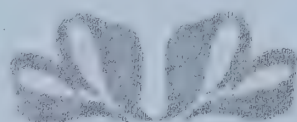
SPRINGHILL

In a conversation, after the show, something interesting was brought up that I think should be mentioned. Playing in a prison is something a lot of entertainers talk about doing, but only a few come through and actually do it. I wonder why? Could it be that they just aren't what they make themselves out to be? There was a warmth radiating from the stage on Sunday and it could be felt. Real, down-home people, who made for good feelings; with no pretence, and a group of people who put up with us and

loved every minute of it -- I hope, 'cause we sure did.

MRS. BALSER, somewhat a veteran at putting outside entertainment together for prison audiences, deserves a note of thanks, and so do all of the people who dressed their kids warmly for a day out to the prison also should be mentioned.

MRS. BALSER, if you're out there and you read this (I'll make sure that you do), I'm looking forward to the next time you come down to share our company.



Like living in a tiny, chilly garage

Life in the hole can be 'cruel, inhumane'

-- What's it like in "the hole" (solitary confinement)?

Inger Hansen, the prisoners' ombudsman, says in her report yesterday that it can be cruel and inhumane.

"Imagine a cement garage, divided in half by a wall which contains a solid, noisy metal door. A naked light bulb hangs from the ceiling and, along one wall, is a platform the size of a single bed. There is a toilet bowl in a corner...

"Three meals a day are provided on paper plates; the utensils are plastic. The meals generally have been sitting on the plate for between 15 minutes and half an hour before they are brought in.

"The last meal in the day is served in the later afternoon... A blanket and a foam mattress are delivered late in the afternoon and picked up in the morning.

"In most cases the person spends 23½ hours per day in this room. Exercise for the other half hour usually means walking outside, alone, generally in a small enclosure...

"In some cases, it merely means a walk up and down other similar cells containing other inmates in dissociation, with no opportunity for fresh air, nor is the inmate ever able to see the sky."

Hansen's description of the hole follows troubles at Millhaven, British Columbia and St. Vincent de Paul, Montreal.

The most recent publicity about the hole came after a press tour of St. Vincent de Paul in response to a threat of murders from an escaped convict. A special segregation wing has been built at Millhaven.

Dissociation is administered, Hansen says, to protect informers and the scared, to punish the perpetrators of offences, to control the other prisoners, and for the good order and discipline of the institution.

She presents the testimony of prisoners A, B and C who described their whole day -- from waking up about 6 a.m. through supper about 3:30 p.m. to lights out at 11 p.m.

Here are some excerpts:

Prisoner A:

"Having been down here approximately three months, I have yet to have my first hot meal.

"In case of illness, emergencies, we have to scream and bang on the bars, 'guard up.' This starts a chain-reaction to the inmates in the front section... and can be heard by the guards in a post outside of the corridor. It's a hell of a way to summon anyone.

"It's chilly, so I pace in the cell to keep warm... My mail was held up for a lengthy period of time unjustly; my visitors were harassed and delayed for hours at a time for no apparent reasons except to discourage visitation... There is no system for alarm or illness or fire...

"We are restricted and deprived of participating or attending any religious services whatsoever...

"There is nothing to do these long hours but pace the cell or lie on our bunk. After a prolonged period of lack of exercise, poor hygiene facilities, and light, one is inclined to become very tense or succumb to a state of melancholy."

Prisoner B:

"The only variations in routine consist of a shower period on Wednesday and a half-hour difference in breakfast on weekends... I cannot express too strongly the deplorable conditions which exist here...

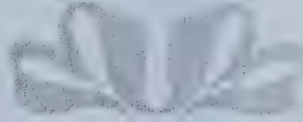
"My observations... suggest that the inmates in protective custody are discriminated against..."

Prisoner C:

"A prisoner in dissociation must contribute to the inmate welfare fund although he is forbidden to take part in any of the fund's activities.

"He is taken off all physical fitness and recreational programs; no more running, weight-lifting, badminton, hockey, soccer or broomball. No more chess, checkers or cards. There is virtually no reading.

"In other words, not content with forcing men to live in an environment that is already dehumanizing, a total void is created around the inmate in dissociation in order the better to destroy him..."



GOINGS ON ABOUT TOWN

Number Nine Unit

By David L. Crossman

AS THE NUMBER NINE CORRESPONDENT FOR this paper, it will be my job to keep you people informed as to what is, and will be happening, in Number Nine Unit throughout the coming months. Although this kind of work is entirely new to me, I will do my best to see that this column is always up-to-date on what is happening in, and around, my unit.

About the only major thing that is going on within Number Nine at this time, is the preparation for Christmas, which is moving along at full speed. We have a good crew at work who are doing a fine job at decorating the unit for us. Our thanks go out to those guys.

Besides the decorating, there are people who are working on tournaments to be held in the unit over the holidays. These tournaments consist of; armwrestling, tabletop hockey, whist, and a number of others. There are trophies and prizes for the winners in these games. Something that should be noted is that the prizes are all bought and paid for through donations by the Living Unit

staff of Number Nine. As these donations were given freely and in good will, I for one would like to say "thank you" to these men for their consideration. I would also like to wish them the seasons best, and I am sure my wishes are echoed by the guys in my unit.

About the only other things that are going on right now are the few nightly card games and the checker games that a few people get into. The rest of the people in our unit seem content to spend most of their free time watching the tube every night.

The above is about all that is happening right now in Number Nine unit but, hopefully, this will improve by the time I have to do another article. We'll just have to wait and see; right guys!

Best wishes to all for a Merry Christmas and a very Happy New Year from the guys in Number Nine and myself.

* * O * *



OPEN FORUM



Grimsby, Ont.,
Dec. 4th, '74.

Dear Sirs,

Please find enclosed my cheque for \$10.00 for subscriptions to the Communicator. One subscription is to go to yours truly, Robert Horan, at the above address, and the other is to go to John Horan, Toronto, Ontario.

I find your magazine terrific -- especially the writings of Bob Eby; Edweirdo who is a super salesman (I'll bet you guys really miss him, but your loss is Dorchester's gain); and Robbie Hebert who sounds a touch frustrated but certainly with justification. In fact, I think you are all doing a great job and to prove to you that I am on your side, I'm buying a subscription for my brother instead of mailing my copy to him. It's cheaper to mail my copy but a cause like yours deserves all the support it can get.

If there was some way that I could contribute to your magazine, I would be more than happy to. I am a three-time reformatory loser and a two-time penitentiary loser with a few months short of ten years of continuous freedom to my credit. I feel that in itself could be an inspiration to someone.

In any event, the best of luck to all of you guys in all of your endeavors and if your invitation to contribute is extended to ex-insiders, let me know and I will try to write a worthwhile article.

Yours very sincerely,

BOB HORAN

EDITOR'S NOTE: MR. HORAN SENT US AN ARTICLE AND IT IS PUBLISHED IN THIS ISSUE UNDER THE TITLE "They Keep Going Back."

even compensation under the more relaxed rules of procedure at the sentencing stage. Moreover, in Canada, combining the civil and criminal trial would raise serious constitutional issues; civil law is generally under the jurisdiction of the provinces, while criminal law is a federal matter.

For various reasons, therefore, we do not favour the combined trial as a device in considering restitution in criminal law.

WILL IT WORK?

Administration Too Burdensome

In most cases the procedure during sentencing is not, and presumably should not be, strictly adversarial as at trial. Notwithstanding the merits of cross-examination and the rules of evidence in clarifying legal issues and determining facts, it is necessary at the sentencing stage to make a broader inquiry than the strict rules would permit into such matters as the history of the offence and the circumstances of the offender. This is not to say that the sentencing process should not be open, fair, and accountable. It does mean that a judge should be able to have access to a wide range of material relating to the circumstances of the offence, including the amount of loss suffered on the criminal injury.

One objection to restitution is that criminal courts are not able to deal with the complicated questions involved in assessing the amount of the damage. The force of this argument must be weighed against the fact that almost all judges are trained and experienced lawyers. In addition county court and supreme court judges hear both civil and criminal cases and are familiar with the assessment of damage or loss. According to our information, judges in England and Wales are not experiencing any great problems in administering the new sentencing provisions relating to reparation. Also crime compensation boards make assessments of loss regularly without undue trouble.

Where assessment of the amount of the loss is complicated or time-consuming, the judge could order that restitution be made, with the exact amount and terms of payment to be assessed by the court clerk or administrator. A similar suggestion had been made with respect to calculation of the amount of the day-fine in the Commission's Working Paper on Fines. Alternatively, assessment of the amount of restitution could be made by the existing compensation boards. It should not be forgotten, however, that restitution is a sentencing matter and assessment should remain within the control of the court.

Assuming that restitution is moved from the background to centre stage in sentencing and dispositions, zeal in recovering restitution payments should not wipe out the reality that some offenders may have difficulty in making payments unless they are given time to do so. Indeed, the offender's ability to pay should be given attention at several different stages. This type of consideration, as in fines, could perhaps best be handled through the court clerk or administrator. A more detailed discussion of enforcement procedures may be found in the Commission's Working Paper on Fines.

DO THEY HAVE THE MONEY?

At this point it would be naive not to acknowledge the chief argument against the implementation of restitution as a major consideration in sentencing and dispositions. In colloquial terms the argument is: "It won't work because all criminals are poor and, even if some of them have money, you'll never be able to make them pay."

An examination of the education and means of Canadian offenders indicates that, while many are below or near the poverty line, it is wrong to suggest that all offenders are without means to pay any monetary sanction. Experience with fines, which are currently imposed without a means test in many cases, shows that a great many offenders can pay. A study of fines imposed on female-offenders in Toronto during a four month period in 1970 showed that the fines were paid in full in 79 percent of the cases. This is consistent with an analysis of fines collected in New Brunswick, Halifax, and Vancouver where the data shows that fines imposed are paid in approximately 83 percent of the cases. In addition, the Toronto study on fines showed that 44 percent of the fines were in amounts of \$25.00 or less while another 24 percent ranged from \$30.00 to \$75.00. An analysis of sanctions imposed in property offences as revealed in statistics released by Statistics Canada shows that fines are imposed in approximately 31 percent of indictable offences. If fines are being paid, it is likely that restitution is within the capacity of the offender to pay.

The nature of offences and the amounts of losses involved are factors that will affect the restitution order. Statistically, the most frequent Criminal Code offences in Canada apart from motor vehicle offences are assault and theft.

Precise statistics on the damage or amounts of money involved are not available but from an analysis of Toronto police records it appears that in cases of theft, break and enter, possession of

stolen goods, robbery, and fraud, the average value of stolen goods as estimated in police reports was less than \$25.00 in 27 percent of the cases. In another 36 percent the value of the goods was between \$26.00 and \$100.00. If this data has general application it would indicate that in many cases a restitution order need not be unduly large and could be within the ability to pay of a great number of offenders notwithstanding their relative poverty. Losses in cases of personal injury may be somewhat larger. Studies in 1966 in Ontario and in 1973 in Vancouver indicated that the amount of the loss to victims, including both personal injury and property loss, on the average, approximated \$300.00 some of which was covered by insurance or other measures. However, in Ontario through 1969-71, the average award by the Criminal Injuries Compensation Board was \$1,900.00. This may not be representative of all offences against the person as it is estimated that less than 3 percent of those eligible for compensation actually apply. As indicated earlier, where restitution is made a term of a probation order, payment and collection appear to be working well.

CAN THEY WORK?

If the offender does not have the money to make good a restitution order, he should be given an opportunity to do work either for the victim, some other person, or some agency. In some cases the work could be service in lieu of payment, while in others the offender could be paid the going wage and make restitution payments out of his wage. In this way, in so far as possible, the losses brought about by the offender would be restored in part by his own work and effort and not simply passed on to the victim's family, private charity, or public welfare.

Admittedly, this sort of thing is already being done in isolated cases. What is needed is to give restitution -- including not only money payments but work, or restitution in kind -- first consideration whenever possible.

Frequently, however, the courts do not have the kind of support services needed to make work or service orders feasible. This and other aspects of the problem will be developed in the Commission's forthcoming paper on Community Service Orders.

It is not only at the court level, however, that restitution should be considered. Presumably, it would be an important consideration in pre-trial settlement procedures under a diversion scheme, and could also be a factor in determining release procedures during a term of imprisonment. If a prisoner is gain-

fully employed at a reasonable wage, he should be given the opportunity to budget part of his income for restitution payments. Yet under present conditions, no more than 20 percent of prisoners in federal institutions are engaged in working at industrial-type jobs. Moreover, until the recent announcement to pay the minimum wage to those who work at industrial jobs, wages paid in federal institutions ranged from a mere \$3.00 to \$4.00 a week. Until imprisonment is recognized as a deprivation of liberty, and not necessarily a deprivation of the opportunity to work at a reasonable wage, restitution at the institutional level will remain impossible.

THE ROLE OF OTHER SANCTIONS

Under the Commission's proposal, restitution would become a central consideration in sentencing and dispositions. The term "central consideration" is used to indicate that restitution would merit foremost, but not exclusive, consideration. What is anticipated is a range of sanctions ranging from relatively light to severe, with restitution receiving consideration in most offences.

In many cases, especially those not requiring deprivation of liberty, restitution may be the main sanction. Yet it would hardly be just were the offender merely required to pay back what he had taken. It is fitting that he would be required to pay back more than he took. Consequently, in many cases, a fine would be an appropriate additional sanction in recognition of the harm done to society and the costs involved in upholding values and protecting individual rights.

In addition, it is anticipated that fines would continue to play an important role as a sanction in their own right in cases such as impaired driving where the injury is not to a specific victim but to the public.

Moreover, in cases where restitution is to be the main sanction, it may be useful to impose probation as an additional penalty for offenders requiring community supervision.

Among the goals of the proposal to give increased attention to restitution is a reduction in the use of unnecessary imprisonment. As noted in the Commission's forthcoming working papers on Diversion and Imprisonment, in non-violent offences against property short terms of imprisonment may not always be necessary if restitution and work orders are available.

C
MORE NEXT ISSUE

Paul Crosby

Testimonial Night

BY *Bob Eby*

IT WAS THE 29th NIGHT IN NOVEMBER AND THE WIND HOWLED AT THE DOORS OF THE CHAPEL AT Springhill Institution. Inside some sixty outside guests were assembled that icy roads and drifting snow couldn't deter from turning out for this most special evening. A first in Canadian history was about to be recorded and it would take more than a Nova Scotian wintry night to dampen the festivities inside.

The Springhill Charter of the Jaycees were holding their PAUL CROSBY TESTIMONIAL NIGHT -- testimonial to the fact that they deem him as one of Canada's outstanding young men. They were registering their nomination of the Rev. Paul Crosby as their candidate in the 7TH ANNUAL VANIER AWARD FOR FIVE OUTSTANDING YOUNG CANADIANS. The awards will be presented to five Canadians on March 1st, 1975, and the Springhill Jaycees are confident their man will be one of the candidates selected.

The Rev. Paul Crosby is the first member of staff to be nominated by any Jaycee unit in any penal institution in Canadian history. Put another way, his nomination is the first time prisoners have chosen to honour a staff member in this fashion. This is no ordinary event; this man has to have something going for him that few others possess, and many at the testimonial festivities expressed their feelings on that score.

The director, Mr. Hartley Watson, stated that "no churchman represents his church as well," and that "no man contributes as much as does our Paul Crosby." Mr. Watson is an obvious admirer of Rev. Crosby and he made it plain that he feels that the Jaycees had made a good choice in their candidate.

The Assistant Director (Socialization), Mr. Willie Gibbs had much to say in Rev. Crosby's behalf. He was very careful to point out that working with Paul Crosby is not always an easy task as "Paul does his own thing" and has a tendency to "rock the boat." He said that Paul Crosby is a "realist", "hard nosed" and is "known for cutting red tape." He pointed out that his job as a senior administrator, with Paul Crosby as one of his staff, is not always made easier because of Paul's natural affinity for "being where the action is." All of these comments were made in a joking -- but serious -- manner, of course. Mr. Gibbs holds a lot of respect for Paul. He commented that Rev. Crosby had "helped me emotionally and spiritually" and that Rev. Crosby is a man who is always eager to learn and improve. "He digs deeper into complications" and has been the initiator in many programs within the institution -- both staff and inmate programs. Mr. Gibbs' closing remarks were directed at Mrs. Crosby, seated with Mr. & Mrs. Watson and Rev. Crosby, at the head table. He made a remark that I only half-caught but dealt in a joking manner with Mrs. Crosby having to put up with the four T.R.4 racing cars in their backyard. The whole assembly of well-wishers roared in good natured unison.

Tom Copeland, Member of the National Corrections Committee, Canada Jaycees, spoke of Rev. Crosby's work and rapport with the population of the Institution. His remarks were directed from an inmate perspective and, just as it always is when you are speaking of an honest and well loved man, the remarks complimented those expressed by Mr. Gibbs and all of the other staff members who turned out to honour this seven-year veteran of this institution.

The Rev. Doctor Charles Taylor spoke of his personal friendship with Paul Crosby. A friendship that dated back to when Rev. Crosby was a student of his at Divinity College. He addressed himself to Paul's complete accessibility, the fact that he's a very trusted and loved man, the knowledge of Paul's "non-pious" approach, his faith in God, his ability to come to grips with authority -- meaning that he usually finds a way to get the authorities to see his viewpoint and act on it -- his continual concern with personal growth as manifested in his acquiring his Masters Degree last year, and the degree of creativity he brings to his work. He wished Paul luck and complimented the Springhill Jaycees on their degree of good taste in choosing "our man".

Bruce Walker, past president of the Springhill Jaycee Unit presented Rev. Crosby with a plaque from the Unit, and he, too, laid down kind and deserving remarks to the Man of the Hour.

President, Bernie Kervin, then asked Rev. Paul Crosby to take the dais and say a few words. I don't know if Rev. Crosby has ever given a "good" speech in the past; I know he didn't that night. He is just not a "speech" maker. He is too obviously sincere to be a speech maker. He is a man who says it as he feels it.

His comments, as always, were more half-statements: statements that always seemed to have a quality of saying something important and vital, but at the same time leaving you with the impression that the speaker is slightly awed by the truth in what he is saying -- almost as though the truth had only just sprung up on him suddenly and that he had not had to suffer to gain the insight he demonstrates.

He referred to the prison as a living organism, one that always needs balance to be healthy. He sees himself as a part of the larger system -- one made up of both prisoners and staff, and he expressed his awe at the strength and hope that exists in many of the inmates he works with.

He spoke of how his experiences with inmates has helped him to appreciate the value of the chaplaincy, and that his conversations with cons are deep and directed towards the "base" of important issues, more so than in his dealings with most Free-men.

He suggested that "corrections" will make you either better or bitter; and that whenever one works with people of any social description, one must always take risks, and it is the pain of being hurt that makes you a better man or a bitter man.

Mrs. Crosby drew many an appreciative chuckle when Rev. Crosby teased her about giving her gray hair and having to put up with him. From the looks they exchanged, this observer would guess that she doesn't have many regrets, especially when you see how attractive those few gray hairs are.

At the close of Rev. Crosby's remarks, the entire assembly stood and gave him a rousing round of applause. There was one little fellow who I had been watching all evening; he was lost to sight during the standing ovation because of his nine or ten year old height. He was Paul Crosby Junior, and from the way he sat on the edge of his seat throughout the whole evening, and while I watched the adoration emanating from his face, I couldn't help but feel that the Rev. Paul Crosby had already been rewarded time and again for his good deeds. But, as all good Catholic boys know; you can never get too much of a good thing, so we all wish the Rev. Paul Crosby the best of luck on March 1st, 1975 -- and for always, for that matter.

Come To Church



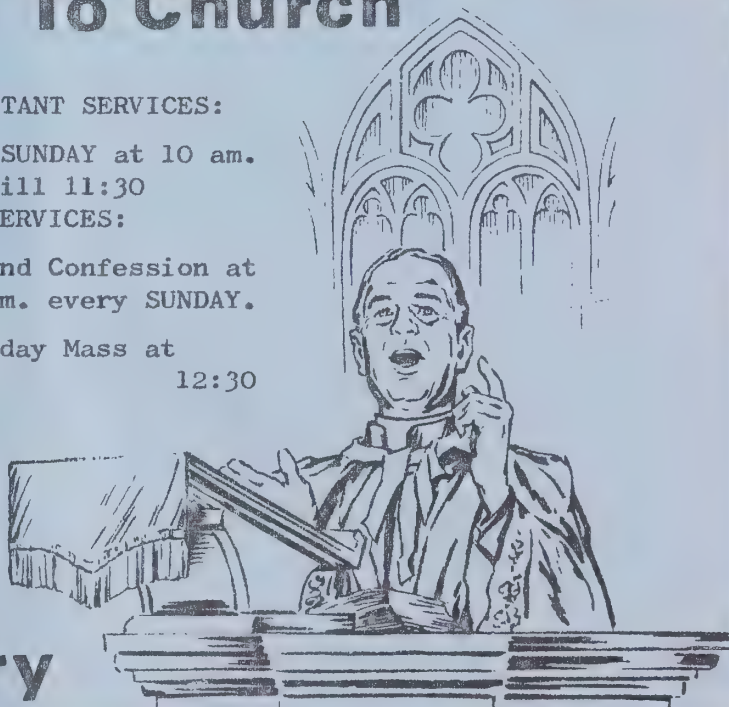
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Give It A Try

AT LARGE

BY CYMBOL

"AT LARGE: A Prison Journal" is another continuing novel that will be presented in THE COMMUNICATOR on a monthly basis. The writer chooses to use the pseudonym CYMBOL and we will respect his right to remain anonymous. His writings are reflective of his experiences in a maximum security prison but since he is writing from Springhill, there is no doubt his writer's eye will fall on the medium setting here. All names and events mentioned within the pages are historically false but poetically true, and will remain so to protect the guilty.

CHAPTER TWO

“Sex & Religion”

YESTERDAY WAS MY BIRTHDAY. ONE OF THE GUYS FROM THE KITCHEN MADE ME A CAKE AND WE ate it out in the gym during recreation while the movie was on. One of the drag-queens offered to puff me in the music room or the weight room (heavy!) or somewhere, I forget where; anyway, I told her no because it was my birthday, and she -- he, it -- is really ugly. That's not the real reason; the real reason was that I had a headache.

The cake was pretty good, though. But like all the things we're not supposed to have in here, made with cheated stuff, it was too much. Loaded with about 2½ cups more sugar than it needed and the icing was a gluey paste. The cake part was good, though -- sort of orangy or lemon -- and anyway they tell me it's the thought that really counts. I don't like to think about counting birthdays in here. Like everyone else in these places, I'm really innocent or I wouldn't be here: or else being here I BECAME innocent.

I got presents, too, of course. A guy gave me a wallet he made in his cell with some of his leather equipment; and my friend Paul gave me a book. The book was another religious pamphlet in a seemingly inexhaustible supply Paul seems to get. Usually he passes them onto me after he's read them but today being my birthday and all, he gave me this one first and I can give it back to him when I've kept it long enough to pretend that I've read it. This one is called "MAN DESCENDED FROM THE APES!??? THE REAL TRUTH?"

Paul is really intelligent and he's my best friend. He never pushes religion on me, though I often push it back on him -- and he never pushes himself on me, either. He's quiet and gentle and we can talk about a lot of things without ever discussing religion -- his religion, I mean. I believe in God and I believe in a lot of other spiritual things; I just don't believe in religion, that's all.

Paul believes only in religion, I think. God is just sort of out there for him, somewhere in the background, signing cheques and writing all those pamphlets and ordaining ministers, but Paul isn't really as interested in God as he is religion. I think if Paul were a Buddhist or Shinto, or some kind of eastern mystic, he would really dig nirvana; whereas I know I'd be bored to death with it. Paul says that the pamphlet isn't really my present, that he's working on getting me a real present when it's ready. I asked him if it was an autographed copy of the Bible but he just smiled and drifted off again.

Paul doesn't smoke (cigarettes) and he doesn't drink any of the brew we brew here and stash away in the fire-extinguishers; and he's never smoked dope or had sex with a man, even in here -- which is pretty unusual, not to say strange. Just so you don't get the wrong idea about him, though, let me say that he does have what they call "relations" with women, though not lately -- since he's been here for the past six years-and-some -- but he digs women, says he almost tried it with a man once, but just couldn't get into it or off on it, and that was that. He says a bar of soap and a centrefold do him just-fine when he feels "that way". We don't talk about that much.

My sex-life is nothing to talk about, but since you're curious: usually masturbation does just fine with me -- without soap and without the centrefold, I have my imagination to dip into and without that island either in case you were wondering -- but when I need the feel of somebody around me there's usually somebody around. And that's that. Like I said, I'd be bored to death with nirvana. I'm not a drag-queen and I'm not a homo; I guess I'm what they call -- desperate, at times. I don't care about what anybody does as long as I don't have to watch them doing it.

In these places it's very hard to explain what not-caring does to people. I'd rather see everybody rolling around with everyone else if they really cared about each other, than see all of them living in split leveled houses with large families and responsibilities they didn't want, as respectable 'citizens' living with mortgages and people they don't give a damn for -- or who they actually hate.

The reason I don't like to watch (any kind of sex) is because of people's eyes. I used to watch couples screwing all around me when I was living in Toronto, but then we were all into how-beautiful-the-body-really-really-is and everyone-should-be-free (that last idea means much much more to me now than it ever did before) and all that peace/love junk; but the eyes used to really get to me. Women would cry-out, praying for invisible people (or things) to be done to them; and the men would go all glassy-eyed, as if their insides had dropped out of them. I guess I look like that, too, but I could never watch myself in a mirror without getting more involved in looking at the details of what I was doing -- or spozed to be doing -- screwing, without forgetting that I shouldn't be watching the scenery so closely, noting details, as if I wasn't even there.

You can walk down my cell range and hear noises -- and everybody knows anyway who's doing what to whom -- and see the blankets covering as much of the bars as they can -- all cells are single man cells in Canada -- and smell semen in the air and sweat and hear noises, breathing panting hands lubricated and the sounds of come. You never hear laughter, though; the laughing that comes from enjoying someone's company.

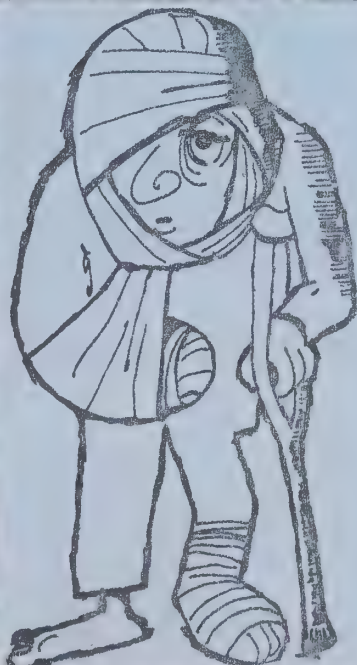
It shouldn't be like that.

Most of the guys in here don't do it, and they all have their own reasons -- which is fine by me; but, two guys I know who haven't tried it don't for "special" reasons. One of them, is Paul of course, and the other guy died about a month ago. His name was Herman.

It wasn't because Herman was old that he didn't do it, it was just that it didn't suit him very much. There are lots of old guys around who have young kids in their stables. They -- the old men -- get a huge canteen allowance from having done so much time, and they stock up on weed and candy bars and pop and when some new guy comes in they dump a load of their goodies on the kid's bunk, and if the guy hasn't been around -- or likes the looks of the guy, or wants protection -- he goes over and thanks the guy for the goodies and they make it.

If he doesn't like the guy or he has been around or someone wises him up, he goes over and socks the old guy in the jaw; and if he's really been around, he keeps the junk after socking the guy. And if he's been around but there's nobody to take care of him or he doesn't build alliances quickly, he keeps the loot, suckers the guy and gets stabbed in his bunk or hit on the head with a hammer or pipe about a week later. That's the way it goes.

When I come in nobody put nothin' on my bed.



"I
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and thanx,
the communicator staff

Transcendance

by Bob Eby

HE DROPS OUT OF THE MORNING SKY LEAVING THE BLACK, RUSHING clouds at his back. With a backward tilt of his powerful, ragged wings, he alights in the midst of the flock of foraging gulls where thirty feet of prison wall breaks the icy blast of the Fundy winds. His lone leg stretches out to grasp the frozen, alien ground, and he tumbles onto the earth. Fighting to regain his balance, he struggles in combat with those around him, and with stabs from his sharp, chipped beak, he gains the piece of ground that he must fight for every day of his existence.

He stands, balanced, awaiting the moment the prisoners will be fed. He awaits his morning bread with the same surety that he anticipates the struggle of each new day: he has learned to remain still and quiet in the midst of the screaming flock, and he challenges all that approach him too closely. He claims the same spot every morning, knowing that his territory will be the target for fifty pieces of bread. He knows most will fall short of their mark but there will always be one arm that aims true: he need only stand his ground to get his share.

At long last, just when his own species are beginning to crowd him sensing that his leg is tiring, the bread begins to fly. And, just as on every morning for the past six years, there stands to one side of the body of convicts, one old man, scarred and stooped, but hurling with practiced accuracy. His movements are stiff and almost seem to have a desperate quality to them.

The flock finishes feeding and takes to the air leaving the one-legged gull to hop ungainly across the yard to gain flight. The old man raises his arm to shade his eyes in anticipation for that instant when the powerful wings will lift him above the mundane in soaring flight.

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MOTHER..., HAVE I GOT A SAD TALE TO LAY ON YOU; FORTUNATELY, IT'S A SHORT, TO-THE-point, one.

BEGINNING: 1975 being a New Year was going to be a new beginning for the COMMUNICATOR; we were going to dazzle you with how efficient and punctual we had become by getting every issue out on the same date each month. Well, like all sad tales, there was a turning point: 1975 brought us a machine-breakdown that set us back a full month. Now, a month isn't much time when you've got ALL THE TIME IN THE WORLD, but it is enough to throw a monkey wrench into the best laid plans and resolutions. So, after thinking we were finally in a position to get caught up on time we had lost during the fall of last year, we find ourselves right back where we started. But don't worry, Folks, everyone will get a full twelve issues for their money, and we'll continue to work at improving our output. THE END.

Ah! 1975.... Time sure flies when you're having a good time. Hope it's the same with you.

We've had some good news from ED WEIRDO; the Weirdo finished his bit in Dorchester and is now out on the streets with all those sweet ladies that used to write asking about the dude with the bent head. Now, that in itself is good news but there's more! Not only is Ed out on the streets but he's working for a local newspaper! Seems somebody got the idea he must have learned something while working for THE COMMUNICATOR and they gave him a job.

I think it is only fair that we warn our reading audience to be very skeptical about anything they read in any newspaper within a thousand miles of the COMMUNICATOR, because if Ed gets into writing news stories and carries himself in any way, shape, or form like he did around here; you can expect to see some very strange journalism going down. So keep an eye on your newspapers for some additional perversions of the facts. Ed has also said that he'll keep in touch and will do a story for us from time to time -- and that will be something to look forward to for 1975.

A new air has come to the auditorium of late; the weights have been moved inside where the weight-lifters and body-builders can work-out in comfort. It "only" took three months to find a work-out area for them, but I guess we shouldn't complain; after all, if they had been put in the position where they would have had to wait for the new gym to open -- and that, at last rumour-listening is slated for sometime next summer -- they might have fallen back to "day one" as far as their training schedules go.

A point that should be made regarding weight-training is that, contrary to popular belief, all weight-lifters are not muscle-bound louts; the self-discipline that goes into taking proper care of one's body is an admirable quality. According to DISCUSSION MAGAZINE (the C.P.S.'s public relations journal) seventy-three percent of C.P.S. staff could use a little physical exercise of one form or another -- aside from the work-out they are going to get when they come charging down to THE COMMUNICATOR office to kick sand in my face when they read that I've called so many of them "FAT"!

But...but...but..., Sir! I was only quoting DISCUSSION MAGAZINE!!!!

Mr. Willie Gibbs, the Assistant Director of Socialization leaves for a new posting in Ottawa next month. We'll be doing an interview with him for the next issue of THE COMMUNICATOR.

We'll also be covering the DALHOUSIE LAW FACULTY'S CONFERENCE on "SENTENCING ALTERNATIVES and METHODS" and hope to get some good material from that event. Interviews will also be done there with people of some significance to Corrections and will be appearing from within these hot little pages.

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monday night drama

Rob Hebert

THE "MONDAY NIGHT DRAMA" GROUP, which has remained in the background and relatively anonymous in the five month period since the beginning of its existence, has decided to make its objectives known now that these objectives have been finalized. Rather than go over the details of five month's work, I would like to give a summary of what these months have yielded, and what the group hopes to accomplish.

A play, entitled "AS THE KEY TURNS (a therapeutic dream)", is in the final stages of being written. The plot line is based on the Institutional journey of an imaginary prisoner, and where the quest for special razor blades leads him. The play, bordering on insanity, was written from a collective of ideas formulated by the whole group. The play is in rehearsals at the present time, and hopes for its production fall somewhere around the month of March; providing, of course, that things are allowed to develop according to plans.

The group has been working in co-ordination with STAGEDOOR 56 of MONCTON, who have decided to produce the play on a

two-day presentation at their Moncton theatre.

There is also a very good possibility of presenting the play to the prison population, providing technical hassles can be cleared up. The problem is getting proper lighting; the play is highly technical, and would lose a great degree of effectiveness if a half-assed production was put together. So, if proper lighting can be acquired, either by renting or some other means, the group hopes to present the play here shortly after the Moncton production.

So goes the "MONDAY NIGHT DRAMA" group. The detailed plans described in this article are the outcome of a lot of spare-time work, and it's only touching on what the group hopes to achieve. There has also been talk of a Video production, but that's still in the air. After "AS THE KEY TURNS", the group hopes to put together another play.

Special thanks are directed toward STAGEDOOR 56, for their support, their help, and for being really fine company every week.

OPEN FORUM

Voice of the people

2006 Gottingen Street,
HALIFAX, Nova Scotia.

Editor,
The Communicator. December 17, 1974

Dear Sir:

Attached is \$5.00 I am honoured to pay for my subscription to the Communicator which is just beginning to live up to its name. The last two issues do not appear to have suffered so seriously from the ills of censorship.

It is refreshing to see frank and honest discussion of basic issues exemplified by the article entitled, "Getting It Together". The question at the beginning of the interview leveled at exploring the differences between Fielder's personal views and Institutional Policy, pries into the area of hypocrisy and personal contradiction.

To experience the self instrumentally, as the helpless slave of the sys-

tem is abdication of personal responsibility. It is a neat trick that we play on ourselves to project blame, and thereby reduce guilt to manageable levels. This capacity to rationalize and then tolerate personal contradiction makes oppression possible.

Mr. Fielder's comment that the living unit is an experiment at changing some of the most glaring aspects of oppression in order to make the place "A bit more liveable" has interesting ramifications for the health of both the keepers and the kept.

Both must cope with an oppressive situation without "Flipping out entirely." Who is the prisoner and where are the tyrants?

Sincerely,

JOHN F. UNROE
CITIZEN AT LARGE

The following passages are excerpts from a personal letter written to Bob Eby by JUDGE P.J.T. O HEARN, COUNTY COURT JUDGE IN HALIFAX. Judge O Hearn's letter was not intended as a "Letter to the Editor" but, because it relates directly to THE COMMUNICATOR, we have asked Judge O Hearn for permission to publish it in the form we have. He brings up an interesting point when he speaks of prison publications being concerned with the psychology of Crime and Corrections but not addressing themselves to the moral issues involved. Comment is welcome.

County Court
Judge's Chambers
HALIFAX,
Nova Scotia.

December 16, 1974.

Dear Mr. Eby,

...I particularly enjoy THE COMMUNICATOR and have sent in my subscription, but it is not all that easy to promote. I may be able to do something in that regard. Despite your complaint about reproduction quality, it is considerably better than most mimeographed material and I suspect you got hold of one of those rotary reproducers that replicate the copy by a fast burn.

I used to get the Dorchester Inmate's paper and found it very interesting, although it was not nearly as well done. Both it and THE COMMUNICATOR show a preoccupation with the psychology of crime and corrections that appears to me to be almost characteristic of certain habitual offenders. Most of these people come from a deprived background, or a very rebellious youth and on occasion their intense hostility to society, especially square society, wells up and gets them in trouble. They seem to be looking for the magic cure through some sort of psychological or psychiatric method.

What they seem to leave out of account is the moral problem. Most of these people do have psychological problems, of course, but it seems to me that their moral weakness is a real block in them recognizing even the psychological problems in their true nature. I know this because it is not only the case with prisoners and offenders generally, but with most of mankind, including myself. There are very few human beings that do not con themselves to some extent although in many cases the process is relatively harmless.

I like the reports of the Correctional Conference, and I think what you and Paracy had to say was, in each case, a needed contribution. I have very little use for prisons myself, except for certain dangerous individuals who should be always kept under some restraint, but there does not appear to be any realistic alternative method of control over people who need to be under control as long as society, including the average offender, thinks of corrections in terms of giving the convicted person his just desserts.

In fact, punishment as such, may be the answer in a good many cases, as long as the punishment is not inflicted in a corrupting and inhuman manner. The alternative to that has its frightening aspects such as those terrifying proposals for behaviour modification in the United States.

The living unit scheme seems to me to have some merits not necessarily because of its calculated approach, but if it produces prison officers such as Eric Fielder appears to be. I assume that your interview was authentic. I don't know what Mr. Fielder's theories are but he should be a helpful person to know and a positive influence, if he can really talk man to man.

Incidentally, I am not totally opposed to behaviour modification as a possibly helpful method. It is useful for people who eat or drink or smoke too much and want to kick the habit, but they are volunteers. It must be incredibly difficult to apply in a prison without some coercion, but not impossible. Paracy's suggestion for developing regular work habits is an example....

Yours sincerely,
P.J.T. O Hearn,
Judge

RYAN'S FANCY comes to SPRINGHILL

ROBBIE HEBERT

Monday, December 16th, 1974 at approximately 7:30 p.m. marked the time and date of a free concert by RYAN'S FANCY, of the television series, at the gym within Springhill Prison. The group stepped on stage after introduction by ARDEN THURBER, Head of Social Development, and were warmly welcomed.

The group was composed of: DENNIS RYAN, leader, who alternated between fiddle, whistles, and mandolin; DERMOT O'REILLY, who played acoustic guitar and mandolin; and FERGUS O'BRYNE, on twelve string guitar and banjo. Stage equipment was simple and effective; consisting of microphone amplification into two column speakers.

Their material was of a different flavour than the usual; a heavy flow of Irish Ballads occasionally laced with a few songs originating from Newfoundland and Cape Breton. All three displayed a rehearsed sense of humour as seen in their side comments between songs, and was occasionally reflected within the songs themselves. Vocals were shared by all the members.

Their rendition of the traditional "Wild Mountain Thyme" was excellent, due mostly to the group's Irish heritage, which was evident as being the natural accent in which the song should be performed. Another song, was "The Chastity Belt", an old English Ballad, telling the story of a fair English damsel left home while the Lord, her husband, goes off to the Crusades, leaving her suitors a chastity belt to fiddle with prior to passing over her drawbridge. The group closed off the concert with "Oh Danny Boy" and "Farewell to Nova Scotia".

The show, though at times coming off as a television performance, which was to be expected, was greatly appreciated by the fans present. Good times were had by all, and a positive reaction was evident in the population. The concert finished prematurely at 8:30, and the group was on its way. Their next gig is at Her Majesty's Penitentiary in Newfoundland.

Special thanks go out to the JOHN HOWARD SOCIETY for having made this concert possible.

* * 0 * *

In My Left Hand

*I held
an olive branch*

In My Right Hand

*I held
a freedom-fighter's gun*



Oh!
By The
Way

Do not
forget
to
send
me
a
pic

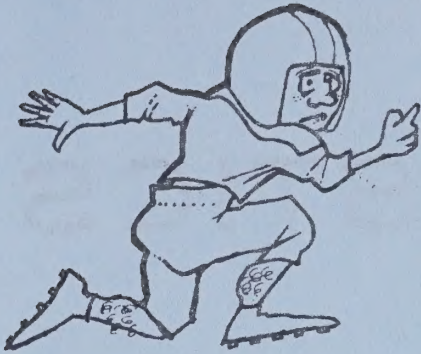
But I Dropped Them Both

*So that I could pick
up plenty of copies of the*

Communicator

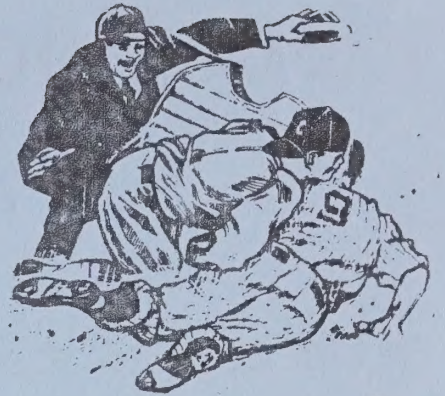
*Would you please send
410,000 copies to my*

**Palestinian
GORILLAS**



Time For SPORTS REVIEW

DAVE BURNS SPORTS REPORTER



Floor Hockey

The Floor Hockey League is still going great guns, but my earlier predictions for Numbers 9, 11, 8 and 10 finishing up in that order have been stymied by a new line-up of players from NUMBER EIGHT. Up to date, they have been the only team that put it all together enough to defeat the overpowering NUMBER NINE squad. I think we will have to keep a close eye on the boys in red -- Number Nine probably thinks so too.

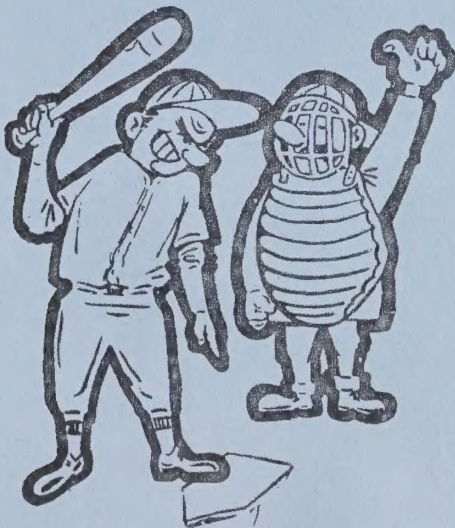
Unit NUMBER ELEVEN, when blessed with a full squad can hold their own with either of the other teams. There's no reason why they can't, especially with the nucleus of heavies in their unit.

NUMBER TEN has dropped out due to the lack of interest in their unit.

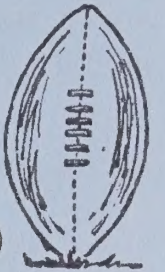
DON LeROY and MIKE MELANSON are running neck in neck and away from the rest of the pack in the scoring race. It should be very interesting from here on in.

I would like to comment on the officiating because without the patience and control that our officials bring to the game of floor hockey as played here in Springhill, the games would never be carried out the way the rules state they should be. A big THANK YOU goes out to the referees and linesmen for doing a great job.

* * * O * * *

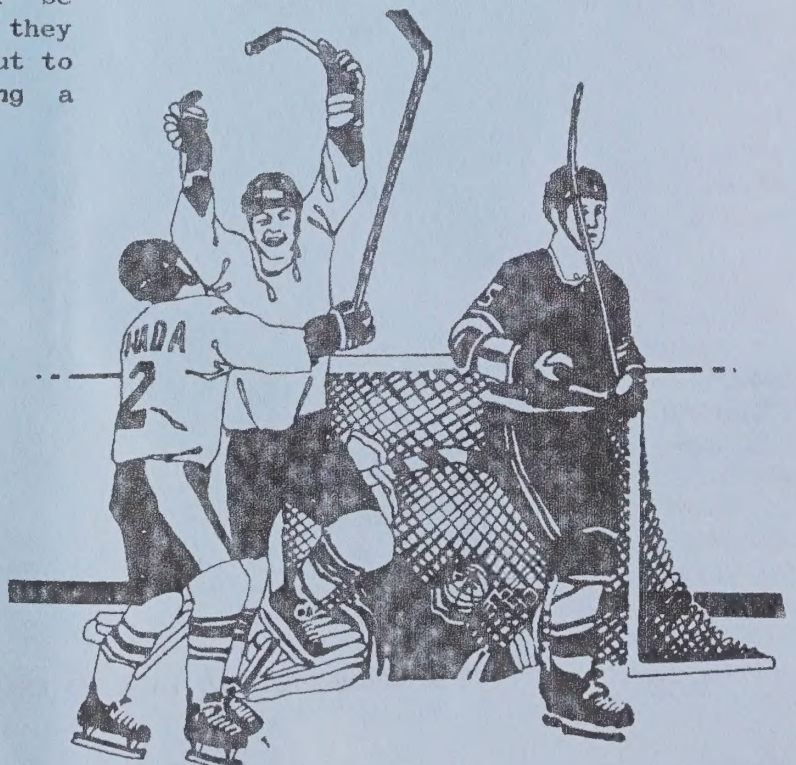


SPORTS NOTES



Since being gifted with our winter supplies, the unit recreational programmes have begun. All four units have got together to try and set up some sort of schedule so that these provisions can be used to their fullest potential. There is already a dart league formed that should take up some slack time throughout the winter months. Included in our provisions are four table model hockey games that should arouse some interest for hockey enthusiasts. The rest of the supplies are made up of: darts, playing cards, chess and checker sets, along with a number of other different parlour games.

I feel that if we can get some cooperation from both inmates and staff, there should be no reason why we can't have a successful winter programme.



Floor Hockey

STATISTICS

THE TEAM STANDINGS AS OF DECEMBER THE 23rd ARE:

NUMBER NINE UNIT:	16 wins	1 tie	1 loss	33 points.
NUMBER EIGHT UNIT:	7	2	9	16 points.
NUMBER ELEVEN UNIT:	4	3	12	11 points.
NUMBER TEN UNIT:	2	0	6	4 points.

THE TEN TOP SCORERS OF THE LEAGUE ARE:

LeROY	82 goals	58 assists	140 pts.
MELANSON	97	37	134
HIBBERT	50	53	103
STUBBARD	50	35	85
MONTOUR	48	32	80
PLEASANT	45	30	75
BOONE	44	25	69
PAUL	48	17	65
MARSHALL	30	30	60
ARSENAULT	45	15	60

THE INDIVIDUAL SCORERS ON EACH TEAM ARE:

NUMBER NINE:

LeROY	82 goals	58 assists	140 pts.
MELANSON	97	37	134
HIBBERT	50	53	103
MONTOUR	48	32	80
ARSENAULT	45	15	60
HANSON	20	35	55
TURNER	29	22	51
DENNIS	24	11	35
KINNEY	14	10	24
DEDAM	6	7	13

NUMBER EIGHT:

STUBBARD	50 goals	35 assists	85 pts.
BOONE	44	25	69
J. PAUL	48	17	65
POWELL	28	5	33
WILSON	8	20	28
CURNEW	20	7	27
BEVIS	14	10	24
BARRIE	13	7	20

NUMBER ELEVEN:

PLEASANT	45 goals	30 assists	75 pts.
MARSHALL	30	30	60
HALL	26	22	48
NELLIGAN	30	15	45
JACKSON	31	10	41
KENNEDY	15	17	32
J. DENNIS	12	13	25
SKEEHAN	8	9	17
HATCHER	5	7	12
CRAWLEY	6	5	11

NUMBER TEN:

(TEAM DISBANDED FOR LACK OF INTEREST....)

The COMMUNICATOR,
P.O. Box # 2140,
Springhill, Nova Scotia.

Dear Sirs;

Would you please find enclosed, my five dollars to cover the subscription
fee for the next twelve issues of the COMMUNICATOR.

NAME.....

ADDRESS.....APT. NUMBER.....

CITY or TOWN.....PROVINCE.....

(make all cheques payable to the COMMUNICATOR)

THE COMMUNICATOR AN INTERNATIONAL CONCERN

'This is indeed a pleasure, Mr. Trudeau.

How Long Have
We Been
Neighbours
GERRY. Would
I Con
You Man.
It's Only
Five
Bucks!

WOW Kid!
InFLATION is
ONE Thing.
But Those
Guys AT
Spring hill
ARE
SOMETHing
ELSE



PIERRE,
WE'LL LIFT
OUR BEEF
EMBARGO, OUR OIL TRANSPORTION SUR-
CHARGE, AND THROW IN A FEW USED
SCHOOL BUSES FROM BOSTON FOR A
YEARS
COMMUNICATOR.

"Qu'EST QUE TU PENSE TIGER?"